

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

CANDACE ANDERSEN, *CHAIR*, 2ND DISTRICT

MARY N. PIEPHO, *VICE CHAIR* 3RD DISTRICT

JOHN GIOIA, 1ST 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.

Staff reports related to open session items on the agenda are also accessible on line at www.co.contra-costa.ca.us.

AGENDA
January 19, 2016

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

Inspirational Thought- *"Peace is not merely a distant goal that we seek, but a means by which we arrive at that goal."* ~ Dr. Martin Luther King, Jr.

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.63 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 members of the Workforce Development Board
for their outstanding volunteer service to County Costa County. (Stephen Baiter,
Workforce Development Board of Contra Costa County)

PR.2 PRESENTATION of report on the potential Super Bowl 50 impacts on the Contra
Costa County Airports. (Keith Freitas, Director of Airports)

DISCUSSION ITEMS

D. 1 CONSIDER Consent Items previously removed.

D. 2 PUBLIC COMMENT (3 Minutes/Speaker)

D.3 CONSIDER adopting the FY 2016/17 Recommended Budget development schedule. (David Twa, County Administrator)

D. 4 CONSIDER reports of Board members.

Closed Session

A. CONFERENCE WITH LABOR NEGOTIATORS

1. Agency Negotiators: David Twa and Bruce Heid.

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

2. Agency Negotiators: David Twa.

Unrepresented Employees: All unrepresented employees.

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: County Counsel

11:00 a.m.

****** Contra Costa County 38th Annual Dr. Martin Luther King, Jr. Commemoration and Humanitarian of the Year Awards Ceremony.

ADJOURN IN MEMORY OF

**GEORGE D. CARROLL,
FORMER MAYOR OF RICHMOND AND RETIRED CONTRA COSTA
COUNTY SUPERIOR COURT JUDGE**

CONSENT ITEMS

Road and Transportation

- C. 1** APPROVE the Walnut Boulevard Bike Lane Gap Closure Project and related actions under the California Environmental Quality Act; and, AUTHORIZE the Public Works Director, or designee, to advertise the project, Brentwood area. (60% Transportation Development Act Grant Funds, 40% Local Road Funds)
- C. 2** APPROVE the San Pablo Dam Road Sidewalk Gap Closure Project and related actions under the California Environmental Quality Act; and, AUTHORIZE the Public Works Director, or designee, to advertise the project, El Sobrante area. (11% Transportation Development Act Grant Funds, 68% Highway Safety Improvement Program Funds, 21% Local Road Funds)
- C. 3** APPROVE the Blackhawk Road Bikeway Project and related actions under the California Environmental Quality Act; and, AUTHORIZE the Public Works Director, or designee, to advertise the project, Blackhawk area. (27% Transportation Development Act Grant Funds and 73% Local Road Funds)

Engineering Services

- C. 4** ADOPT Resolution No. 2016/22 approving the second extension of Road Improvement Agreement RA04-01180, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (No fiscal impact)
- C. 5** ADOPT Resolution No. 2016/25 approving the second extension of Road Improvement Agreement RA04-01183, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (No fiscal impact)
- C. 6** ADOPT Resolution No. 2016/26 approving the second extension of Road Improvement Agreement RA04-01184, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (No fiscal impact)
- C. 7** ADOPT Resolution No. 2016/27 approving the second extension of Road Improvement Agreement RA07-01238, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (No fiscal impact)
- C. 8** ADOPT Resolution No. 2016/28 approving the second extension of Road Improvement Agreement RA07-01239, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (No fiscal impact)

- C. 9** ADOPT Resolution No. 2016/23 approving the second extension of Road Improvement Agreement RA04-01181, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (No fiscal impact)
- C. 10** ADOPT Resolution No. 2016/18 approving the second extension of Drainage Improvement Agreement DG04-00051, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (No fiscal impact)
- C. 11** ADOPT Resolution No. 2016/29 approving the second extension of Subdivision Agreement for subdivision SD80-06013, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (No fiscal impact)
- C. 12** ADOPT Resolution No. 2016/19 approving the second extension of Road Improvement Agreement RA04-01179, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (No fiscal impact)
- C. 13** ADOPT Resolution No. 2016/24 approving the second extension of Road Improvement Agreement RA04-01182, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (No fiscal impact)

Special Districts & County Airports

- C. 14** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute, on behalf of the County, a lease amendment modifying the lease between the County, as Lessor, and Excelsior J D CO, LLC, as Tenant, for the lease of property located at 2301 Meridian Park Boulevard. (100% Airport Enterprise Fund)
- C. 15** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Charles Luther for a Shade-hangar at Buchanan Field Airport effective January 7, 2016 in the monthly amount of \$177.07. (100% Airport Enterprise Fund)

Geologic Hazard Abatement Districts

- C. 16** DENY claim submitted by Bronco Don Holdings, LLC, and its members against the Blackhawk Geologic Hazard Abatement District (GHAD) for \$118,728 seeking alleged damage to the claimant's building at 3800 Blackhawk Road, as recommended by the GHAD Attorney and General Manager.

- C. 17** ACCEPT Petition for Annexation for the Podva Property Development to the Wiedemann Ranch Geologic Hazard Abatement District (“GHAD”), as recommended by the GHAD Attorney and General Manager.

Claims, Collections & Litigation

- C. 18** DENY claims filed by State Farm Insurance on behalf of Evelyn Aguilar, Juana Godinez, Michael Kitterman, et al., and Licia Parsons Waita.

Statutory Actions

- C. 19** ACCEPT Board members' meeting reports for December 2015.

Honors & Proclamations

- C. 20** ADOPT Resolution No. 2016/38 recognizing Andy and Wendy Scheck selected as Lafayette's 2016 "Marquis" Business Persons of the Year, as recommended by Supervisor Andersen.
- C. 21** ADOPT Resolution No. 2016/42 recognizing members of the Workforce Development Board for their outstanding volunteer service to County Costa County, as recommended by the Employment and Human Services Director.

Hearing Dates

- C. 22** RECEIVE the 2015-2016 property tax administrative cost recovery report of the Auditor-Controller, FIX March 1, 2016 at 9:30 a.m. for a public hearing on the determination of property tax administrative costs, and DIRECT the Clerk of the Board to notify affected local jurisdictions of the public hearing and to prepare and publish the required legal notice and make supporting documentation available for public inspection, as recommended by the County Administrator.

Appointments and Resignations

- C. 23** ACCEPT the resignation of Belinda Lucey, DECLARE a vacancy of the District II Alternate Seat on the First 5 Contra Costa Children and Families Commission effective immediately, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Andersen.

Appropriation Adjustments

- C. 24** Community Corrections Performance Incentives Fund (0477)/Probation Programs (0308): APPROVE Appropriations and Revenue Adjustment No. 5036 authorizing new revenue in the amount of \$318,299 in Community Corrections Performance Incentives Fund (0477) from the State of California and appropriating it for the provision of services for the adult felony probation population and authorizing new revenue in the amount of \$318,299 in Probation Programs (0308) and appropriate it for the addition of staff in the adult probation division. (100% State) (Consider with C.29)
- C. 25** Health Services (0463): APPROVE Appropriation and Revenue Adjustment No. 5038 authorizing the transfer of \$110,000 from the Behavioral Health Homeless Program fund to the General Services fund for the purchase of one (1) Ford Escape Flex Fuel, one (1) Ford CMAX Hybrid, one (1) Ford Fusion Hybrid and one (1) Ford Transit Connect Van to expand services within the Homeless Housing and Shelter program. (100% Albertoni Grant Funds)
- C. 26** Probation Programs(0308)/Probation Facilities (0309): APPROVE Appropriations Adjustments No.5039 authorizing the transfer of appropriations in the amount of \$161,628 from the Probation Programs (0308) to Probation Facilities (0309). (Cost neutral) (Consider with C.28)

Personnel Actions

- C. 27** ADOPT Position Adjustment Resolution No. 21803 to add one Institutional Supervisor I (represented) position and cancel one Deputy Probation Officer III (represented) position in the Probation Department. (100% General Fund) (Consider with C.27)
- C. 28** ADOPT Position Adjustment Resolution No. 21802 to add two Deputy Probation Officer III (represented) positions, add one (1) Probation Supervisor I (represented) position and add one Clerk Specialist (represented) position in the Probation Department. (100% Senate Bill 678 State Revenue) (Consider with C.25)
- C. 29** ADOPT Position Adjustment Resolution No. 21816 to add one Deputy County Counsel - Standard - Exempt (unrepresented) position in the Office of the County Counsel. (Interdepartmental Charges)
- C. 30** APPROVE and AUTHORIZE the Chair of the Board of Supervisors to execute an amendment to the Employment Agreement between the County and David J. Twa, County Administrator, dated July 1, 2013, to authorize a 5% step increase effective January 1, 2016, and a 5% step increase effective January 1, 2017, and to increase the deferred compensation benefit by \$1,000; and APPROVE the addition of two, five-percent steps to the top of the County Administrator salary range.

- C. 31** ADOPT Resolution No. 2016/44, approving the side letter between Contra Costa County and Probation Peace Officers of Contra Costa County to revise Subsection E of Section 43 -Special Benefits of the Memorandum of Understanding regarding professional development, as recommended by the County Administrator.

Grants & Contracts

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

- C. 32** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the California Department of Food and Agriculture, to pay the County an amount not to exceed \$100 to enforce California seed marketing and labeling requirements for the period July 1, 2015 through June 30, 2016. (100% State)
- C. 33** APPROVE and AUTHORIZE the Employment and Human Services Department Director, or designee, to execute a contract amendment with the California Department of Education to increase the payment limit by \$600,469 to new limit of \$9,123,236 to provide State Preschool services, with no change to term July 1, 2015 through June 30, 2016. (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. 34** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract, including mutual indemnification language, with the City of Richmond on behalf of its Fire Department, in an amount not to exceed \$782,907 to maintain a Hazardous Materials Response Unit, Hazardous Materials Emergency Vehicle and provide specialized training for the period July 1, 2015 through June 30, 2017. (100% AB 2185 fees)
- C. 35** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Hyland Software, Inc., in an amount not to exceed \$6,000 to provide computer software consulting and technical assistance on the On-base software upgrades and modules for County's Health Services Department, for the period December 1, 2015 through November 30, 2016. (100% Hospital Enterprise Fund I)
- C. 36** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Jackson & Coker Locum Tenens, LLC, in an amount not to exceed \$200,000 to provide temporary help physicians at Contra Costa Regional Medical and Health Centers and the County's Main Detention Facility for the period January 1 through December 31, 2016. (100% Hospital Enterprise Fund I)

- C. 37** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with PhamaTech, Inc., in an amount not to exceed \$360,000 to provide child welfare mandated drug testing services for the period January 1, 2016 through June 30, 2017. (30% County; 70% State)
- C. 38** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with STAND! For Families Free of Violence, in an amount not to exceed \$101,955 to provide services for the Encourage Arrest Policies and Enforcement of Protection Orders Project for the period January 1, 2016 through December 31, 2016. (100% Federal)
- C. 39** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Sodexo America, LLC, in an amount not to exceed \$399,448, to provide management and oversight of the Environmental Services Unit at Contra Costa Regional Medical and Health Centers, for the period from January 1, 2016 through December 31, 2016. (100% Hospital Enterprise Fund I)
- C. 40** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Clerk-Recorder, a purchase order with Inclusion Solutions in an amount not to exceed \$485,054 for acquisition of 550 Franklin voting booth units for use in the County's 287 polling places in the June 2016 Primary and subsequent elections. (100% Federal funds, reimbursable by the State under the provisions of Section 301 of the Help America Vote Act)
- C. 41** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Hugo E. Altamirano, Inc., in an amount not to exceed \$545,000, to provide anesthesiology services at Contra Costa Regional Medical and Health Centers, for the period February 1, 2016 through January 31, 2017. (100% Hospital Enterprise Fund I)
- C. 42** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Laura Hans, M.D., in an amount not to exceed \$290,000, to provide pediatric services at Contra Costa Regional Medical and Health Centers, for the period November 1, 2015 through October 31, 2016. (100% Hospital Enterprise Fund I)
- C. 43** APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute a purchase order amendment with Beckman Coulter, Inc., to add \$150,000 for a new total of \$500,000 for reagents, controls and supplies for the Clinical Laboratory at the Contra Costa Regional Medical Center, with no change in the original term of April 4, 2012 through March 31, 2017. (100% Enterprise Fund I)

- C. 44** APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute an amendment to Purchase Order with Beckman Coulter Inc., to add \$265,000 for a new total of \$1,215,000 for reagents and supplies to perform chemistry testing and monthly meter billing in the laboratory at the Contra Costa Regional Medical Center, with no change in original term of January 1, 2015 to December 31, 2015. (100% Enterprise Fund I)
- C. 45** APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute a purchase order with Stryker Orthopedic Inc., in the amount of \$1,550,000, for implants and supplies for Contra Costa Regional Medical Center, for the period January 1, 2016 through December 31, 2018. (100% Hospital Enterprise Fund I)
- C. 46** APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute a purchase order with Arthrex Inc., in the amount of \$350,000 for instruments, implants and supplies for the Contra Costa Regional Medical Center, for the period February 1, 2016 through January 31, 2018. (100% Hospital Enterprise Fund I)
- C. 47** APPROVE and AUTHORIZE the Health Services Director, or his designee, to execute a contract with Rubicon Programs Incorporated, in an amount not to exceed \$110,000, to provide mental health services for CalWORKs clients, for the period from July 1, 2015 through June 30, 2016, and includes a six-month automatic extension through December 31, 2016, in an amount not to exceed \$55,000. (100% CalWORKs)
- C. 48** APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department to execute a purchase order with Beckman Coulter, Inc., in the amount of \$500,000 for reagents and supplies to perform chemistry testing on the Access 2 Immunoassay and Unicel DXI800 for the clinical laboratory at the Contra Costa Regional Medical Center, for the period January 1, 2016 through December 31, 2016. (100% Enterprise Fund I)
- C. 49** APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract amendment with Industrial Employers and Distributor's Association, effective March 1, 2016, to extend the term from February 29, 2016 to February 28, 2017 and increase the payment limit by \$22,588 to a new payment limit of \$45,176, to continue providing In-Home Supportive Services Authority negotiations and support services. (100% IHSS funds)

- C. 50** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Anka Behavioral Health, Incorporated, in an amount not to exceed \$1,117,822, to provide mental health outreach services for the homeless mentally ill for the period July 1, 2015 through June 30, 2016, with a six-month automatic extension through December 31, 2016, in an amount not to exceed \$558,911. (36% by Medi-Cal, 51% by Substance Abuse and Mental Health Services Administration, and 13% Project for Assistance in Transition from Homelessness Grant)
- C. 51** APPROVE and AUTHORIZE the Purchasing Agent or designee to execute, on behalf of the Sheriff-Coroner, a purchase order 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, 2016. (100% General Fund)
- C. 52** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract, including modified indemnification language, with Little Angels Country School, LLC, in an amount not to exceed \$201,647, to provide State Preschool and Head Start program services for the period July 1, 2015 through June 30, 2016. (81% State, 19% Federal)

Other Actions

- C. 53** 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. 54** ADOPT Resolution No. 2016/31 authorizing the issuance of Multifamily Housing Revenue Bonds in an amount not to exceed \$23 million to provide financing for the costs of acquisition and construction of Riviera Family Apartments, a 58-unit residential rental housing development located at 1515 and 1738 Riviera Avenue (APN Nos. 174-150-076, 174-140-019, 174-140-025) in the City of Walnut Creek, as recommended by the Conservation and Development Director. (100% Special Revenue Funds)
- C. 55** ADOPT Resolution No. 2016/33 authorizing the issuance of Multifamily Housing Revenue Bonds in an amount not to exceed \$30 million to provide financing for the costs of acquisition and construction of Tabora Gardens, an 85-unit residential rental housing development located at the Southeast Corner of James Donlon Boulevard and Tabora Drive (APN 072-011-062) in the City of Antioch, California, as recommended by the Conservation and Development Director. (100% Special Revenue Funds)

- C. 56** ADOPT Resolution No. 2016/34 authorizing the issuance of Multifamily Housing Revenue Bonds in an amount not to exceed \$22 million to provide financing for the costs of acquisition and rehabilitation of Virginia Lane Apartments, a 91-unit residential rental housing development located at 1121 and 1140 Virginia Lane (APN Nos. 128-210-051-8 and 128-290-066-09) in the City of Concord, as recommended by the Conservation and Development Director. (100% Special Revenue Funds)
- C. 57** APPROVE and AUTHORIZE the County Auditor-Controller to issue a refund of overpayment of documentary transfer tax in the amount of \$303.60 to SPL Express, Inc., as recommended by the Clerk-Recorder. (100% General Fund)
- C. 58** ADOPT Resolution No. 2016/39 delegating to the Assessor, or designee, the authority to approve claims for refund related to the property tax exemption for the home of a disabled veteran or an unmarried spouse of a deceased disabled veteran; DIRECT the Auditor-Controller to pay refunds approved by the Assessor in accordance with Revenue and Taxation Code sections 5101 and 5151. (100% General Fund)
- C. 59** ACCEPT the Alcohol and Other Drugs Advisory Board 2015 Annual Report, as recommended by the Health Services Director.
- C. 60** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner (1) a purchase order with Dell Inc., for a three year term, in an amount not to exceed \$918,915 to purchase Microsoft Office 365 software, hosting, and support services for the Office of the Sheriff, and (2) a Microsoft Enterprise Enrollment agreement with Microsoft Corporation for the Office of the Sheriff to receive Microsoft Office 365 software, hosting, and support services for the period for the period January 1, 2016 through December 31, 2018. (100% General Fund)
- C. 61** APPROVE the change of the name of the Contra Costa Inter-jurisdictional Council on Homelessness to the Contra Costa Council on Homelessness, APPROVE new by-laws and new appointment terms, DECLARE eight seats vacant, ADD four seats, DELETE two seats, and RENAME ten seats, as recommended by the Council and the Health Services Director.
- C. 62** ACCEPT and APPROVE Head Start Policy Council Bylaws for the Community Services Bureau, as recommended by the Employment and Human Services Director.

Successor Agency to the Contra Costa County Redevelopment Agency

- C. 63** Acting as the Governing Board to the Successor Agency of the Contra Costa County Redevelopment Agency, ADOPT Resolution No. 2016/32 approving an administrative budget and the Recognized Obligation Payment Schedule for the period July 1, 2016 through June 30, 2017, and ADOPT related California Environmental Quality Act findings, as recommended by the Conservation and Development Director. (100% Redevelopment Property Tax Trust 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 96 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:

STANDING COMMITTEES

The **Airport Committee** (Supervisors Mary N. Piepho and Karen Mitchoff) meets monthly on the fourth Wednesday of the month at 1:30 p.m. at Director of Airports Office, 550 Sally Ride Drive, Concord.

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

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

The **Hiring Outreach Oversight Committee** (Supervisors Karen Mitchoff and John Gioia) meets on the second Monday of the month at 9:00 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Internal Operations Committee** (Supervisors John Gioia and Candace Andersen) meets on the fourth Monday of the month at 11:00 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

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

The **Public Protection Committee** (Supervisors Candace Andersen and John Gioia) meets on the fourth Monday of the month at 9:00 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

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

Airports Committee	February 24, 2016	1:30 p.m.	See above
Family & Human Services Committee	February 8, 2016	1:00 p.m.	See above
Finance Committee	February 11, 2016	10:30 a.m.	See above
Hiring Outreach Oversight Committee	February 8, 2016	9:00 a.m.	See above

Internal Operations Committee	February 29, 2016 Special Meeting	11:00 a.m.	See above
Legislation Committee	February 8, 2016	10:30 a.m.	See above
Public Protection Committee	February 29, 2016 Special Meeting	9:00 a.m.	See above
Transportation, Water & Infrastructure Committee	February 11, 2016	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: Keith Freitas, Airports Director
Date: January 19, 2016

Subject: Potential Super Bowl 50 Impacts on the Contra Costa County Airports (District III and IV)

RECOMMENDATION(S):

ACCEPT the Potential Super Bowl 50 Impacts on the Contra Costa County Airports report.

FISCAL IMPACT:

There is no negative impact on the General Fund.

BACKGROUND:

Presentation by Keith Freitas, Director of Airports for Contra Costa County, regarding the potential impacts of Super Bowl 50 on the Contra Costa County airports (Buchanan Field and Byron) as requested by Supervisor District IV.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Stephanie L. Mello, Deputy

Contact: Beth Lee, (925) 681-4200

cc:

CONSEQUENCE OF NEGATIVE ACTION:

n/a

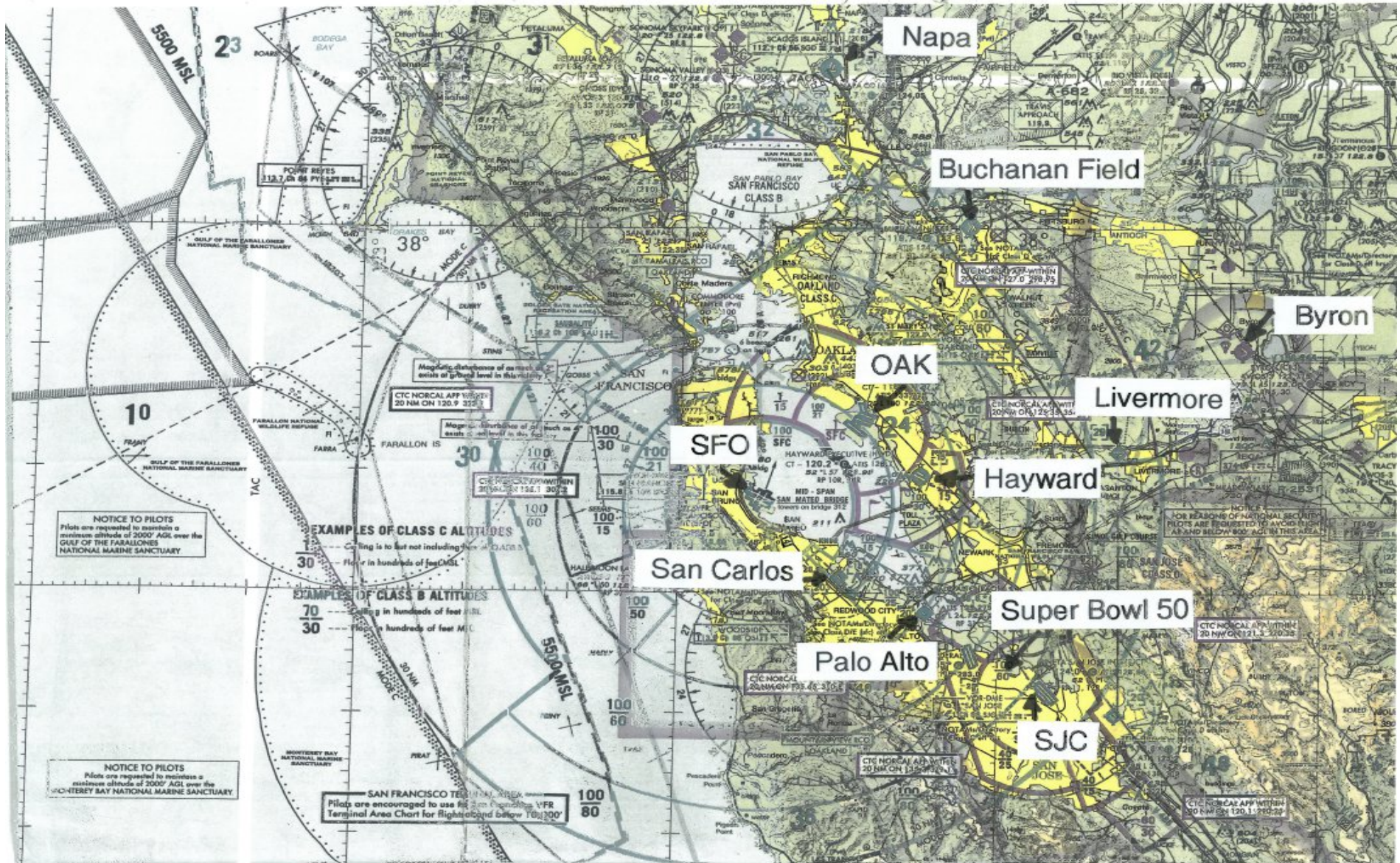
ATTACHMENTS

Super Bowl 50 PowerPoint Presentation

Super Bowl “50”
February 7, 2016

**Anticipated Impact on the
Bay Area Airports**

Bay Area Airports and Airspace



Arrival & Departure Procedures for Bay Area Airports

- The FAA expects around 1,200 aircraft to come into the Bay Area for the event
- Flight slot reservations will be required for all flights from Thursday, February 4th through Monday, February 8th at the following airports:

Napa County

Buchanan Field

Hollister Municipal

Hayward Executive

Livermore Municipal

Monterey Regional

Metropolitan Oakland International

Palo Alto

Reid-Hillview of Santa Clara County

Stockton Metropolitan

San Francisco International

Norman Y. Mineta San Jose International

Salinas Municipal

San Carlos

Charles M. Schulz – Sonoma County

Watsonville Municipal

FAA Allotted Arrival & Departure Slots for Buchanan Field Airport

- Arrival Phase (2/4/2016 to 2/7/2016 at 4:59 pm):
 - 4 Arrival Slots per Hour
 - Departure slots are not assigned during this time and are open to all
- Departure Phase (2/7/2016 at 5:00 pm to 2/8/2016 at 6:00 pm):
 - 3 Arrival Slots per Hour
 - 10 Departure Slots per Hour
- In accordance with FAA grant assurances, the airports must remain open and available for users

Important Note:

Increased noise complaints are likely during the Departure Phase

Community Outreach

- Sending notification of event (Notice) to the newspapers through County Public Information Officer
- Sending Notice to Claycord
- Sending Notice to the various cities and neighborhoods near each airport
- A Notice will be placed on the County Public Works - Airports Division website
- A Notice will be sent to the individuals who have complained about other Airport special events

Security & Safety Enhancements

- Increase Airport staffing at both airports
- Sheriff will increase patrols at both airports
- Exploring additional security measures

Any Questions?



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: January 19, 2016

Subject: FY 2016/17 Recommended Budget Development

RECOMMENDATION(S):

1. DECLARE the Board's intent to adopt a FY 2016/17 General Fund budget that balances annual expenses and revenues;
2. ACKNOWLEDGE that the State of California and residents throughout the State continue to struggle to manage the outcomes of the recently depressed economy;
3. ACKNOWLEDGE that significant economic issues continue to challenge the Board of Supervisors in its effort to finance services and programs which Contra Costa County residents need, or expect will be provided to them by the County, especially in a time of slow economic recovery;
4. ACKNOWLEDGE that, in addition to the effects on the provision of services for residents, these State and local economic issues have challenged the maintenance of the Board of Supervisors' reserve policy;
5. ACKNOWLEDGE that restoration of the County's reserve funds, maintaining an improved credit rating, and maintenance of the County's physical assets remain a priority of the Board of Supervisors over the long term;
6. RE-AFFIRM the Board of Supervisors' policy prohibiting the use of County General Purpose Revenue to back-fill State revenue cuts;
7. DIRECT Department Heads to work closely with the County Administrator to develop a Recommended Budget for consideration of the Board of Supervisors that balances expenses with revenues, minimizes net County cost and maintains core service levels;
8. ACKNOWLEDGE that the 2016-2017 assessment roll will be prepared using an inflation factor of 1.01525 rather than the 1.02 factor that had been the norm;

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☐ 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: January 19, 2016

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

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

By: , Deputy

cc: Robert Campbell, County Auditor-Controller, All County Departments (via County Administration)

RECOMMENDATION(S): (CONT'D)

>

9. ACKNOWLEDGE that the employees of Contra Costa County have already been negatively affected as a result of the requirement to balance the County's expenses with available revenues;
10. ACKNOWLEDGE that this situation is expected to improve for County employees, as we work to manage and cope with the outcomes of slow economic recovery;
11. DIRECT the County Administrator to continue to meet with the County's union representatives and employees to explain the size, scope and anticipated length of the County's fiscal challenges and to gain their input/suggestions;
12. DIRECT the County Administrator to continue to make this information readily available to the residents of the County;
13. DIRECT Departments, in cooperation with Labor Relations and Union representatives, to begin, if necessary, the meet and confer process with employee representatives about the impact of potential program reductions on the terms and conditions of employment for affected employees;
14. DIRECT the County Administrator to return to the Board of Supervisors on April 19, 2016 with a FY 2016/2017 Recommended Budget that meets the above requirements;
15. DESIGNATE Tuesday, April 19, 2016 for FY 2016/2017 budget hearings (including Bielenso Hearings, if needed) and Tuesday, May 10, 2016 for the adoption of the FY 2016/17 County and Special District Budgets; and
16. DIRECT the Clerk of the Board to publish notice of the budget hearings and the availability of the Recommended Budget documents.

FISCAL IMPACT:

None at this time. However, the result of the recommendations herein, if implemented, are designed to maintain the County's fiscal stability in FY2016/2017 and improve it in subsequent years.

BACKGROUND:

The actions recommended in this documentation direct the County Administrator to return to the Board on April 19, 2016 with a Recommended Budget that balances expenses with revenues for FY 2016/17. This action aligns with both the Budget and Reserve Policy of the Board of Supervisors. Continued labor negotiation as well as the expiration of additional labor contracts with many County employee groups, as well as State actions to manage its budget will be taking place in the same time-frame as development of the Recommended Budget. The outcomes of all these events have the potential for significant impacts on the County's financial situation.

Recommended Budget Development

The County will continue to face challenges to create a balanced budget in the coming fiscal year. Although the County Administrator continues to believe that there will be growth in local property tax, other general purpose and program revenues used to fund the baseline cost of services into FY 2016/17 are expected to recovery very slowly. Significant wage concessions were negotiated for the majority of County employees through the 2012/13 fiscal year. Negotiations recently completed and currently underway with the majority of our bargaining groups are expected to include modest wage increases. These increases combined with pension and healthcare increases will challenge the County's fiscal health. The County has sustained most of the structural reductions that balanced the County budgets so that significant one-time solutions are no longer required. It is imperative that the County achieve contract settlements in alignment with projected revenue growth; otherwise, compensation costs will create a potential gap for FY 2016/17, which must be filled to achieve a balanced budget.

There are always factors over which the County has little or no control (such as federal and State budgets shortfalls, economic changes, and demographics) that will affect the size of the baseline budget and ultimately the County's budget challenge. While 'part one of the Fiscal Cliff' has been avoided, the Federal government still must resolve significant budget issues.

The majority of the County's general purpose revenues are generated through property taxes. Revenue and Taxation Code section 51 provides that base year values determined under section 110.1 shall be compounded annually by an inflation factor not to exceed 2 percent. Section 51(a)(1)(C) provides that, for any assessment year commencing on or after January 1, 1998, the inflation factor shall be the percentage change, rounded to the nearest one-thousandth of 1 percent, from October of the prior fiscal year to October of the current fiscal year in the California Consumer Price Index (CCPI) for all items, as determined by the California Department of Industrial Relations. Information from the Department of Industrial Relations shows that the CCPI increased from 247.481 in October 2014 to 251.255 in October 2015. Rounded to the nearest one-thousandth of 1 percent, this is an increase of 1.525 percent. Accordingly, we will prepare our 2016 assessment roll using an inflation factor of 1.01525.

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

Meet and Confer

Departmental budget requests are due to the County Administrator's Office on February 12. At that time Department Heads will know which, if any, positions may be affected by reductions necessary to balance the budget.

Departments, in cooperation with Labor Relations, will if necessary, begin the meet and confer process with employee representatives regarding the impact of potential program reductions on the terms and conditions of employment for affected employees. Early planning will allow Departments a reasonable period of time to meet and confer, and permit them to implement all budgetary required actions prior to July 1, 2016. As with the last ten fiscal years, this progress will allow the County to adopt a budget that is balanced from the first day of the new fiscal year.

Public Notice

The County Budget Act requires that the Board of Supervisors publish a notice in a newspaper of general circulation throughout the county, stating when budget documents will be available and the date of Budget Hearings. The FY 2016/17 Budget document will be available to the public on April 8, 2016.

Conclusion

The County Administrator will return to the Board on April 19 with a FY 2016/17 Recommended Budget that meets the requirements listed above. Tuesday, April 19 will be reserved for FY 2016/17 budget hearings including Bielsonson hearings if needed. Additionally, it is recommended that the County Administrator return to the Board of Supervisors on Tuesday, May 10 for adoption of the FY 2016/17 County and Special District Budgets, including any changes the Board makes on April 19.

CONSEQUENCE OF NEGATIVE ACTION:

Delayed processing of the FY 2016/17 budget and potential impact on the fiscal stability of the County and Special Districts.



Contra
Costa
County

To:

From:

Date: January 19, 2016

Subject:

RECOMMENDATION(S):

Contra Costa County 38th Annual Dr. Martin Luther King, Jr. Commemoration and Humanitarian of the Year Awards Ceremony.

☐ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☐ 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: January 19, 2016

, County Administrator and Clerk of the Board of Supervisors

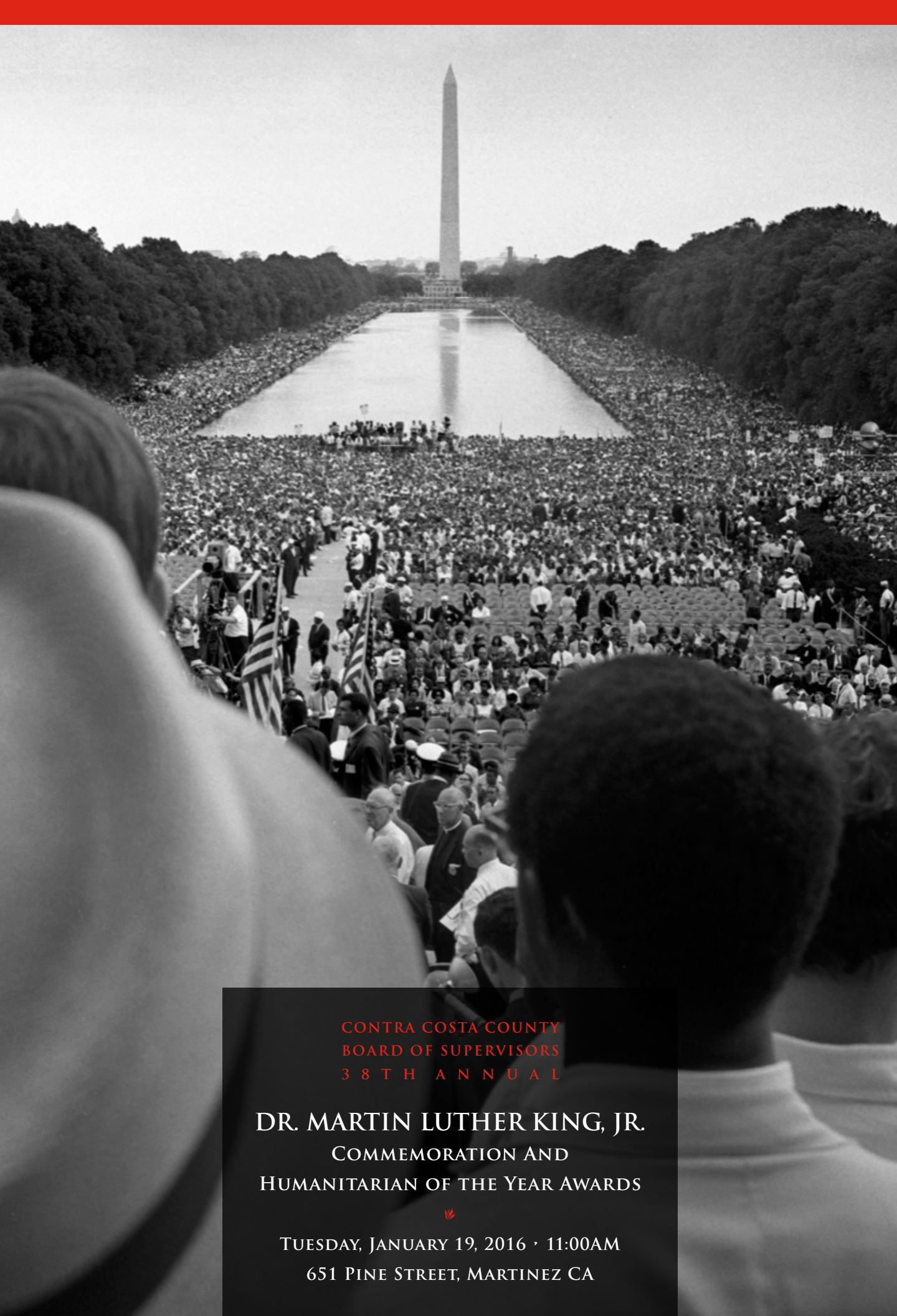
Contact:

By: , Deputy

cc:

ATTACHMENTS

MLK Celebration
Poster



CONTRA COSTA COUNTY
BOARD OF SUPERVISORS
38TH ANNUAL

DR. MARTIN LUTHER KING, JR.
COMMEMORATION AND
HUMANITARIAN OF THE YEAR AWARDS



TUESDAY, JANUARY 19, 2016 • 11:00AM
651 PINE STREET, MARTINEZ CA



Contra
Costa
County

To: Board of Supervisors

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

Date: January 19, 2016

Subject: APPROVE the Walnut Boulevard Bike Lane Gap Closure Project and related actions under the California Environmental Quality Act

RECOMMENDATION(S):

APPROVE the Walnut Boulevard Bike Lane Gap Closure Project and Authorize the Public Works Director, or designee, to advertise the project, Brentwood area. CP 15-49 (0676-6P1025)

DETERMINE the project is a California Environmental Quality Act (CEQA), Class 1c Categorical Exemption, pursuant to Section 15301(c) of the CEQA Guidelines; and

DIRECT the Director of Conservation and Development to file a Notice of Exemption with the County Clerk; and

AUTHORIZE the Public Works Director to arrange for payment of a \$25 fee to Conservation and Development for processing, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

ADOPT Resolution No. 2016/35 to approve and authorize the Public works Director, or designee, to submit a 2016/2017 Transportation Development ACT (TDA) Grant Application to the Metropolitan Transportation Commission in the total amount of \$150,000.



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016**



APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: , Deputy

Contact: Mary Halle 925-313-2327

cc:

FISCAL IMPACT:

This project will be funded by 60% TDA Grant Funds and 40% Local Road Funds.

BACKGROUND:

The project proposes to widen approximately 1000 feet of Walnut Boulevard for paved shoulder in order to provide Class 2 bike lanes between the intersections of Marsh Creek Road and Vasco Road. The project site is located south of the City of Brentwood and west of the Discovery Bay Area. Approximately 6 feet of pavement widening is proposed on the west side (rather than constructing narrow strips of 3 foot widening on each side of the road) to minimize impacts to existing residential driveways and drainage on the east side. After the widening is completed on the west side of Walnut Boulevard, a slurry seal and re-alignment of the pavement markings will center the travel lanes with the new bike lanes over the widened roadway. Bike lane signing and striping will be installed within the project limits and the existing centerline rumble strips will be replaced.

CONSEQUENCE OF NEGATIVE ACTION:

Delay in approving the project will result in a delay of design and construction and may jeopardize funding.

ATTACHMENTS

Resolution No. 2016/35

Attachment A

Attachment B

CEQA Walnut Boulevard Bike Lane Gap Closure

CEQA 2

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

Adopted this Resolution on 01/19/2016 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2016/35

In the matter of APPROVING and AUTHORIZING the Public Works Director or designee to submit a 2016/2017 Transportation Development Act Grant application to the Metropolitan Transportation Commission in the total amount of \$150,000 for the Walnut Boulevard Bike Lane Gap Closure Project.

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No.4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the COUNTY OF CONTRA COSTA desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists;

Now, therefore, be it

RESOLVED, that the COUNTY OF CONTRA COSTA declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and furthermore, be it

RESOLVED, that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of the COUNTY OF CONTRA COSTA to carry out the project; and furthermore, be it

RESOLVED, that the project has been reviewed by the Bicycle Advisory Committee (BAC) of COUNTY OF CONTRA COSTA; and furthermore, be it

RESOLVED, that the COUNTY OF CONTRA COSTA attests to the accuracy of and approves the statements in Attachment A to this resolution; and furthermore, be it

RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of CONTRA COSTA COUNTY for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

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

ATTESTED: January 19, 2016

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

Contact: Mary Halle 925-313-2327

By: , Deputy

cc:

Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2016/2017 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

Findings
Page 1 of 1

1. That the County of Contra Costa is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the County of Contra Costa legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the County of Contra Costa has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the County of Contra Costa within the prior five fiscal years.
8. That the project(s) described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B will be completed before the funds expire.
11. That the County of Contra Costa agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

Resolution No. 2016/35

Attachment B

TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2016/2017 Applicant: Contra Costa County Public Works Department

Contact person: Lawrence Leong

Mailing Address: 255 Glacier Drive, Martinez, CA 94553

E-Mail Address: lleon@pw.cccounty.us

Telephone: 925-313-2026

Secondary Contact (in event primary not available): Mary Halle

E-Mail Address: mary.halle@pw.cccounty.us

Telephone: 925-313-2327

Short Title Description of Project: Walnut Boulevard Bike Lane Gap Closure Project

Amount of claim: \$ 250,000

Functional Description of Project:**Widen shoulders to provide Class II bike lane in each direction along a narrow 1,000 foot section of Walnut Boulevard between Marsh Creek Road and Vasco Road in order to improve bicyclist safety****Financial Plan:**

List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

Project Elements: Engineering & Construction

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		\$ 150,000	\$100,000		\$ 250,000
list all other sources:					
1. Local Road Funds		\$ 110,000	\$ 60,000		\$ 170,000
2.					
3.					
4.					
Totals		\$ 260,000	\$ 160,000		\$ 420,000

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated). Anticipated in January 2016	NO
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	NO
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: http://www.dot.ca.gov).	YES
D. Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: December 7, 2015	PENDING
E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction). Expected by February 2016	PENDING
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) No Later Than December 2018	YES
G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____)	YES

PUBLIC WORKS DEPARTMENT
INITIAL STUDY OF
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: WO# 1025

CP# 15-49

PROJECT NAME: Walnut Boulevard Bike Lane Gap Closure Project

PREPARED BY: Alex Nattkemper

DATE: December 21, 2015

APPROVED BY: [Signature] DATE: 1-11-16

RECOMMENDATIONS:

☒ **Categorical Exemption** [Class 1(c)]

☐ Environmental Impact Report Required

☐ Negative Declaration

☐ Conditional Negative Declaration

The project will not have a significant effect on the environment. The recommendation is based on the following: The project consists of minor alteration of existing public facilities, involving negligible expansion of use beyond that previously existing pursuant to section 15301(c) of the CEQA guidelines. The project will not result in the removal of any scenic resource.

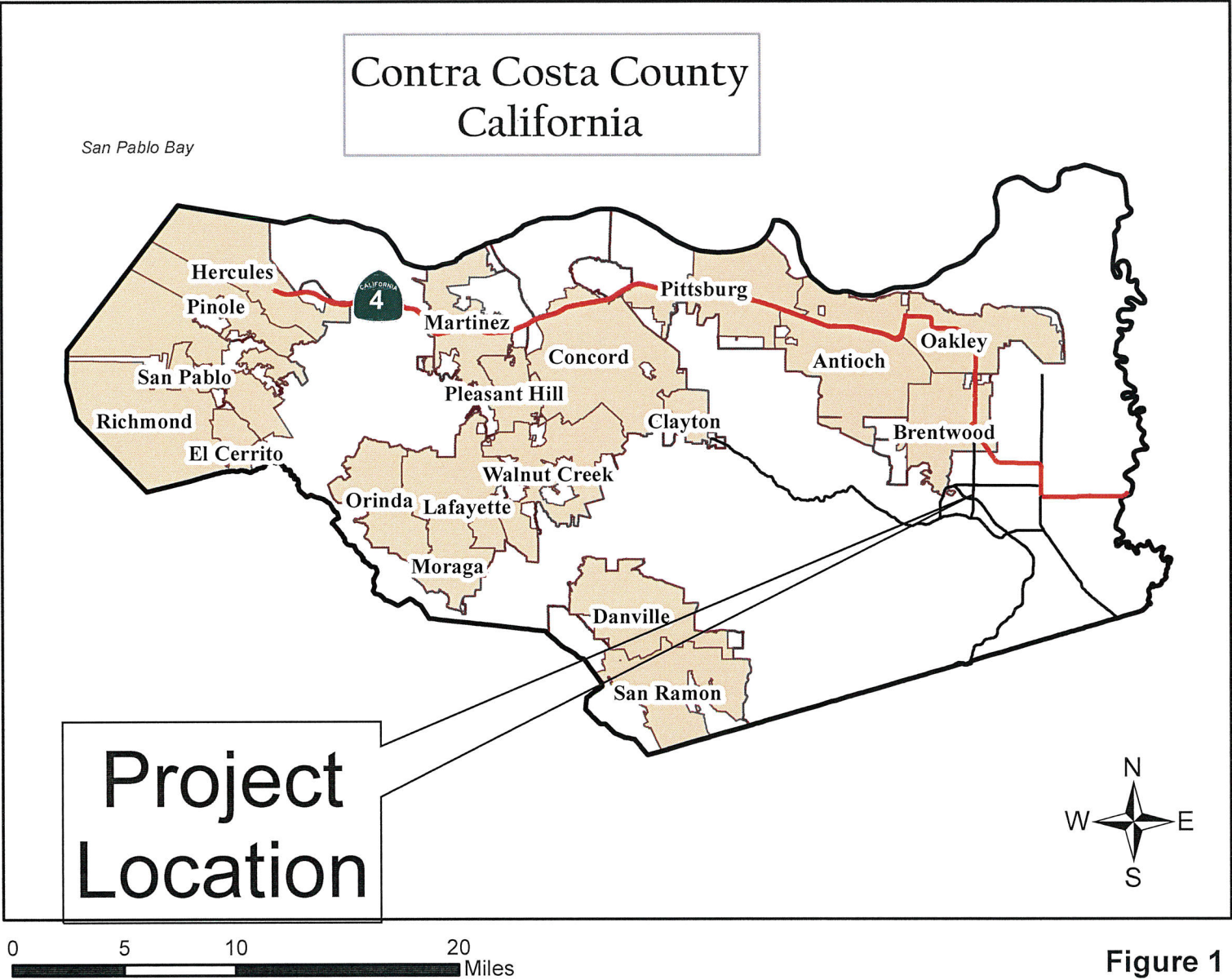
What changes to the project would mitigate the identified impacts: N/A

USGS Quad Sheet: <u>Brentwood</u>	Base Map Sheet #: <u>P-25</u>	Parcel #: <u>N/A</u>
-----------------------------------	-------------------------------	----------------------

GENERAL CONSIDERATIONS:

- Location:** The project is located in an unincorporated area in east Contra Costa County south of the City of Brentwood and west of Discovery Bay [Figures 1-4].
- Project Description:** The purpose of this project is to widen the roadway to provide Class II bike lanes in each direction along a narrow section of Walnut Boulevard between Marsh Creek Road and Vasco Road in order to improve bicyclist safety. Recent improvements to Marsh Creek Road and Vasco Road have widened these intersections along Walnut Boulevard. However, these improvements left an approximately 1,000 foot long gap in paved shoulders wide enough for cyclists to use as bike lanes. This section between the two revised intersections remains a two lane rural road with little to no shoulders. This area has become increasingly used by bicyclists in east Contra Costa County. The project consists of adding approximately 6 feet of pavement widening on the west side of Walnut Boulevard. The project will relocate one roadside traffic sign due to widening. After the widening is completed, a slurry seal surface treatment and re-alignment of the pavement markings will center the travel lanes over the new roadway width. Bike lane signing and striping will be installed within the project limits and the existing centerline rumble strips will be replaced. The drainage pattern will be re-established through a graded roadside ditch and the partial excavation of its associated berm that extends approximately 520 feet in length parallel to the road. The project is a covered activity under the East Contra Costa County Habitat Conservancy Plan/Natural Community Conservation Plan (HCP/NCCP) under Road Safety Improvements. The project will follow the HCP/NCCP Avoidance and Mitigation Measures to minimize impacts to covered species and water quality. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. In addition, HCP/NCCP development fees will be paid to the Conservancy at project contract award. One lane will be open for traffic during construction activities. Emergency vehicles will have access at all times. Real property transactions, such as temporary construction easements from adjacent properties, may be necessary in support of the project.
- Does it appear that any feature of the project will generate significant public concern?**
☐ Yes ☒ **No** ☐ maybe (Nature of concern):
- Will the project require approval or permits by other than a County agency?**
☒ Yes ☐ **No** East Contra Costa County Habitat Conservancy
- Is the project within the Sphere of Influence of any city?** No

Walnut Boulevard Bike Lane Gap Closure Project



Walnut Boulevard Bike Lane Gap Closure Project

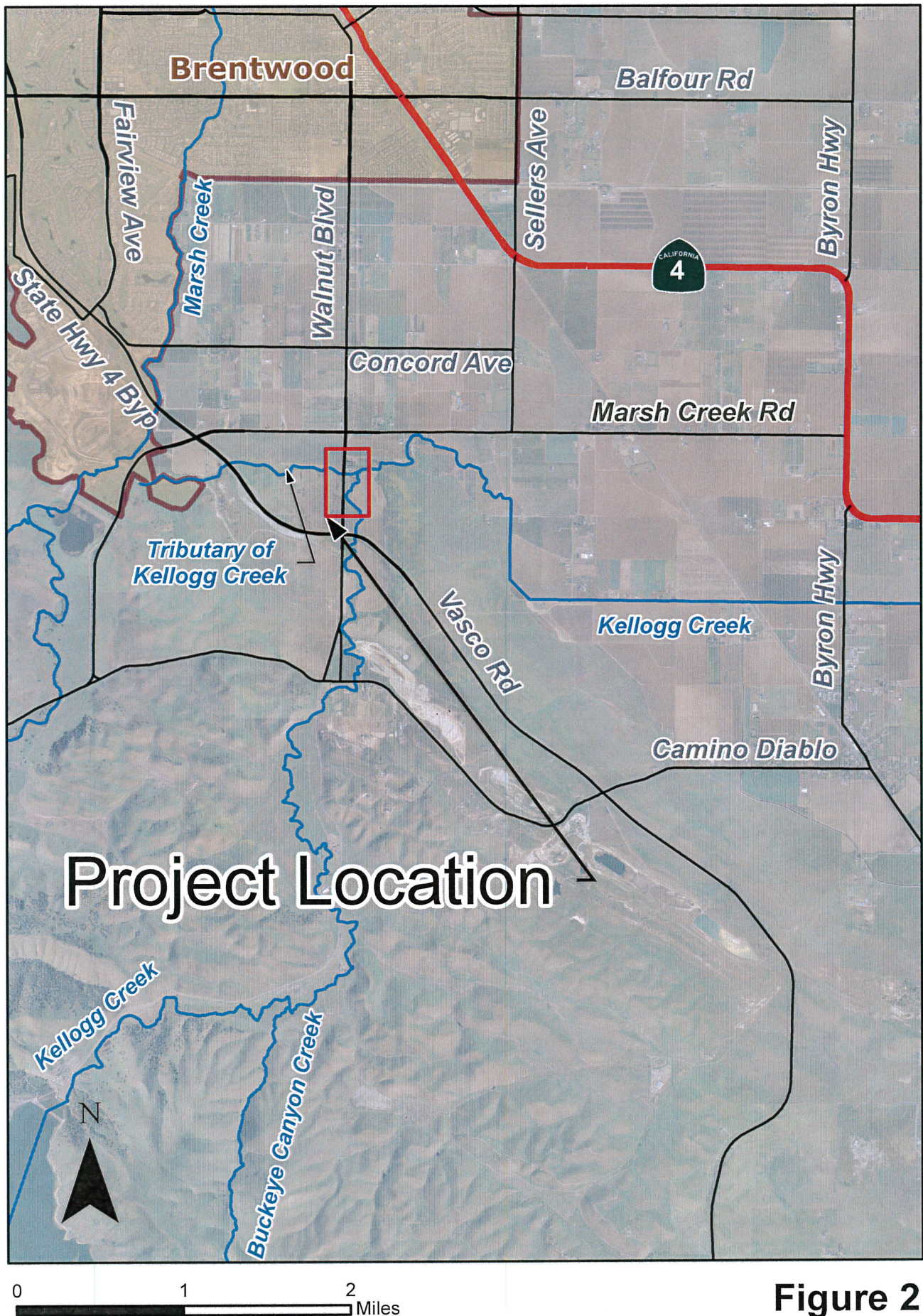


Figure 2



PLAN VIEW - WALNUT BOULEVARD

LEGEND		
EXISTING	DESCRIPTION	PROPOSED
	Right of Way	
	Centerline	
	Edge of Pavement	
	Storm Drain	
	Fence	
	Utility Line	
	Striping	
	Guardrail	

SCALE: 1" = 40'
for 11x17



Contra Costa County
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PRELIMINARY PROJECT LAYOUT

WALNUT BOULEVARD
BIKE LANE GAP CLOSURE PROJECT

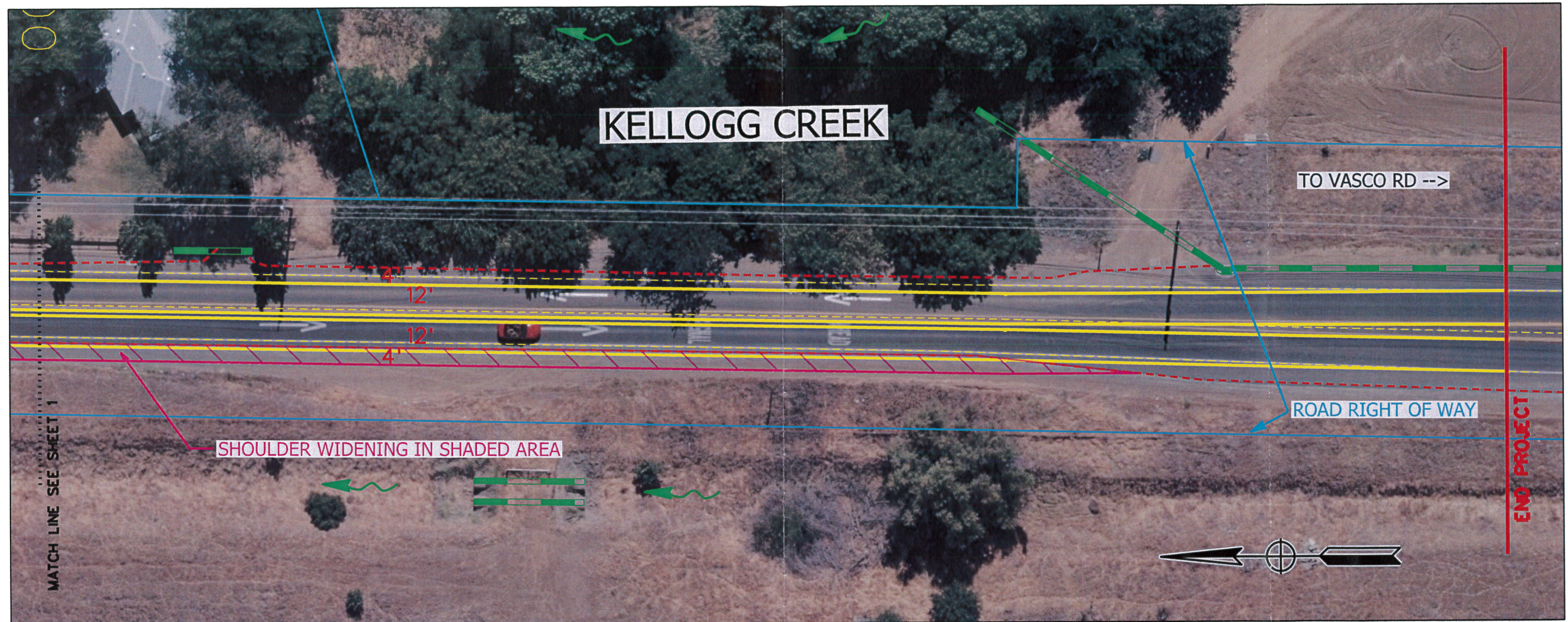
FEDERAL ID NO.: N/A

DB: LL

CB: AV

DATE: NOV 2015

SHEET 1 OF 2



PLAN VIEW - WALNUT BOULEVARD

LEGEND		
EXISTING	DESCRIPTION	PROPOSED
	Right of Way	
	Centerline	
	Edge of Pavement	
	Storm Drain	
	Fence	
	Utility Line	
	Striping	
	Guardrail	

SCALE : 1" = 40'
for 11x17



Contra Costa County
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PRELIMINARY PROJECT LAYOUT

WALNUT BOULEVARD
BIKE LANE GAP CLOSURE PROJECT

FEDERAL ID NO.: N/A

DB: LL

CB: AV

DATE: NOV 2015

SHEET 2 OF 2

Notice of Exemption

To: ☐ Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

☒ County Clerk
County of: Contra Costa

From: Contra Costa County
Dept. of Conservation & Development
30 Muir Road
Martinez, CA 94553

Project Title: [Walnut Boulevard Bike Lane Gap Closure Project, WO#1025 & CP#15-49](#)

Project Applicant: Contra Costa County Public Works Department

Project Location – **Specific:** The west side of Walnut Boulevard between Marsh Creek Road and Vasco Road

Project Location: Unincorporated area south of the City of Brentwood Project Location – County: [Contra Costa](#)

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of this project is to widen the roadway to provide Class II bike lanes in each direction along a narrow section of Walnut Boulevard between Marsh Creek Road and Vasco Road in order to improve bicyclist safety. Recent improvements to Marsh Creek Road and Vasco Road have widened these intersections along Walnut Boulevard. However, these improvements left an approximately 1,000 foot long gap in paved shoulders wide enough for cyclists to use as bike lanes. This section between the two revised intersections remains a two lane rural road with little to no shoulders. This area has become increasingly used by bicyclists in east Contra Costa County. The project consists of adding approximately 6 feet of pavement widening on the west side of Walnut Boulevard. The project will relocate one roadside traffic sign due to widening. After the widening is completed, a slurry seal surface treatment and re-alignment of the pavement markings will center the travel lanes over the new roadway width. Bike lane signing and striping will be installed within the project limits and the existing centerline rumble strips will be replaced. The drainage pattern will be re-established through a graded roadside ditch and the partial excavation of its associated berm that extends approximately 520 feet in length parallel to the road. The project is a covered activity under the East Contra Costa County Habitat Conservancy Plan/Natural Community Conservation Plan (HCP/NCCP) under Road Safety Improvements. The project will follow the HCP/NCCP Avoidance and Mitigation Measures to minimize impacts to covered species and water quality. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. In addition, HCP/NCCP development fees will be paid to the Conservancy at project contract award. One lane will be open for traffic during construction activities. Emergency vehicles will have access at all times. Real property transactions, such as temporary construction easements from adjacent properties, may be necessary in support of the project.

Name of Public Agency Approving Project: **Contra Costa County**

Name of Person or Agency Carrying Out Project: **Contra Costa County Public Works Department**

Exempt Status:

☐ Ministerial Project (Sec. 21080(b) (1); 15268;
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☒ Categorical Exemption: **Class 1(c)**
☐ Other Statutory Exemption, Code No.: _____
☐ General Rule of Applicability [Article 5, Section 15061 (b)(3)]

Reasons why project is exempt: **The project consists of minor alteration of existing public facilities, involving negligible expansion of use beyond that previously existing; pursuant to section 15301(c) of the CEQA guidelines. The project will not result in the removal of any scenic resource.**

Lead Agency Contact Person: [Alex Nattkemper](#) - **Public Works Dept.** Area Code/Telephone/Extension: [\(925\) 313-2364](#)

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency ☐ Signed by Applicant

AFFIDAVIT OF FILING AND POSTING

I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

Signature

Title

Applicant:

Public Works Department
255 Glacier Drive
Martinez, CA 94553
Attn: [Alex Nattkemper](#)
Environmental Services Division
Phone: [\(925\) 313-2364](#)

Department of Fish and Game Fees Due

☐ EIR - \$3,070.⁰⁰
☐ Neg. Dec. - \$2,210.²⁵
☐ DeMinimis Findings - \$0
☒ **County Clerk - \$50**
☒ **Conservation & Development - \$25**

Total Due: \$ [75.00](#)
Total Paid \$ _____
Receipt #: _____

**PUBLIC WORKS DEPARTMENT
INITIAL STUDY OF
ENVIRONMENTAL SIGNIFICANCE**

PROJECT NUMBER: WO# 1025
CP# 15-49

PROJECT NAME: Walnut Boulevard Bike Lane Gap Closure Project

PREPARED BY: Alex Nattkemper

DATE: January 6, 2016

APPROVED BY: _____ DATE: _____

RECOMMENDATIONS:

☒ **Categorical Exemption** [Class 1(c)]

☐ Negative Declaration

☐ Environmental Impact Report Required

☐ Conditional Negative Declaration

The project will not have a significant effect on the environment. The recommendation is based on the following: The project consists of minor alteration of existing public facilities, involving negligible expansion of use beyond that previously existing pursuant to section 15301(c) of the CEQA guidelines. The project will not result in the removal of any scenic resource.

What changes to the project would mitigate the identified impacts: N/A

USGS Quad Sheet: Brentwood	Base Map Sheet #: P-25	Parcel #: N/A
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GENERAL CONSIDERATIONS:

- Location:** The project is located in an unincorporated area in east Contra Costa County south of the City of Brentwood and west of Discovery Bay [Figures 1-4].
- Project Description:** The purpose of this project is to widen the roadway to provide Class II bike lanes in each direction along a narrow section of Walnut Boulevard between Marsh Creek Road and Vasco Road in order to improve bicyclist safety. Recent improvements to Marsh Creek Road and Vasco Road have widened these intersections along Walnut Boulevard. However, these improvements left an approximately 1,000 foot long gap in paved shoulders wide enough for cyclists to use as bike lanes. This section between the two revised intersections remains a two lane rural road with little to no shoulders. This area has become increasingly used by bicyclists in east Contra Costa County. The project consists of adding approximately 6 feet of pavement widening on the west side of Walnut Boulevard. The project will relocate one roadside traffic sign due to widening. After the widening is completed, a slurry seal surface treatment and re-alignment of the pavement markings will center the travel lanes over the new roadway width. Bike lane signing and striping will be installed within the project limits and the existing centerline rumble strips will be replaced. The drainage pattern will be re-established through a graded roadside ditch and the partial excavation of its associated berm that extends approximately 520 feet in length parallel to the road. The project is a covered activity under the East Contra Costa County Habitat Conservancy Plan/Natural Community Conservation Plan (HCP/NCCP) under Road Safety Improvements. The project will follow the HCP/NCCP Avoidance and Mitigation Measures to minimize impacts to covered species and water quality. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. In addition, HCP/NCCP development fees will be paid to the Conservancy at project contract award. One lane will be open for traffic during construction activities. Emergency vehicles will have access at all times. Real property transactions, such as temporary construction easements from adjacent properties, may be necessary in support of the project.
- Does it appear that any feature of the project will generate significant public concern?**
☐ Yes ☒ **No** ☐ maybe (Nature of concern):
- Will the project require approval or permits by other than a County agency?**
☒ Yes ☐ **No** East Contra Costa County Habitat Conservancy
- Is the project within the Sphere of Influence of any city?** No



Contra
Costa
County

To: Board of Supervisors

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

Date: January 19, 2016

Subject: APPROVE the San Pablo Dam Road Sidewalk Gap Project and related actions under the California Environmental Quality Act

RECOMMENDATION(S):

APPROVE the San Pablo Dam Road Sidewalk Gap Project and AUTHORIZE the Public Works Director, or designee, to advertise the project, El Sobrante area. DCD CP 15-51.

DETERMINE the project is a California Environmental Quality Act (CEQA), Class 1c Categorical Exemption, pursuant to Section 15301(c) of the CEQA Guidelines; and

DIRECT the Director of Conservation and Development to file a Notice of Exemption with the County Clerk; and

AUTHORIZE the Public Works Director to arrange for payment of a \$25 fee to Conservation and Development for processing, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

ADOPT Resolution No. 2016/36 to approve and authorize the Public works Director, or designee, to submit a 2016/2017 Transportation Development ACT (TDA) Grant Application to the Metropolitan Transportation Commission in the total amount of \$100,000.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016**

☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: , Deputy

Contact: Mary Halle 925-313-2327

cc:

FISCAL IMPACT:

This project will be funded using approximately 11% Transportation Development Act Grant Funds, 68% Highway Safety Improvement Project (HSIP) Grant Funds and 21% Local Road Funds.

BACKGROUND:

The purpose of this project is to improve pedestrian access and safety on San Pablo Dam Road between Appian Way and Clark Road. San Pablo Dam Road is a principal arterial that runs through the heart of El Sobrante. The proposed project will connect El Sobrante residents with the downtown commercial area, bus stops, the nearby El Sobrante Library, and the Boys and Girls Club. Currently, pedestrian infrastructure east of Appian Way has multiple gaps which force pedestrians to walk in the parking lane or to cross the street midblock in order to use sidewalks on the opposite side of the street. This project will provide sidewalk in four gaps for a total of 1420 feet, resulting in an uninterrupted sidewalk throughout. Construction includes removing non-native trees before constructing curb, gutter, and sidewalk.

CONSEQUENCE OF NEGATIVE ACTION:

Delay in approving the project will result in a delay of design and construction and may jeopardize funding.

ATTACHMENTS

Resolution No. 2016/36

Attachment A

Attachment B

CEQA San Pablo Dam Road Sidewalk

CEQA 2

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

Adopted this Resolution on 01/19/2016 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2016/36

In the matter of APPROVING and AUTHORIZING the Public Works Director or designee to submit a 2016/17 Transportation Development Act Grant application to the Metropolitan Transportation Commission in the total amount of \$100,000 for the San Pablo Dam Road Sidewalk Gap Project.

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No.4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the COUNTY OF CONTRA COSTA desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; now, therefore, be it

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No.4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the COUNTY OF CONTRA COSTA desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; now, therefore, be it

RESOLVED, that the COUNTY OF CONTRA COSTA declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and furthermore, be it

RESOLVED, that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of the COUNTY OF CONTRA COSTA to carry out the project; and furthermore, be it

RESOLVED, that the project has been reviewed by the Bicycle Advisory Committee (BAC) of COUNTY OF CONTRA COSTA.; and furthermore, be it

RESOLVED, that the COUNTY OF CONTRA COSTA attests to the accuracy of and approves the statements in Attachment A

to this resolution; and furthermore, be it

RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of CONTRA COSTA COUNTY for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

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

Contact: Mary Halle 925-313-2327

ATTESTED: January 19, 2016

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

By: , Deputy

cc:

Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2016/17 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

Findings

Page 1 of 1

1. That the COUNTY OF CONTRA COSTA is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the COUNTY OF CONTRA COSTA legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the COUNTY OF CONTRA COSTA has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the COUNTY OF CONTRA COSTA within the prior five fiscal years.
8. That the project(s) described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B will be completed before the funds expire.
11. That the COUNTY OF CONTRA COSTA agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

G:\transeng\GRANTS\TDA\TDA 16-17\San Pablo Dam Road\Board docs\TDA Attachment A.docx

TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2016/17

Applicant: Contra Costa County

Contact person: Mary Halle

Mailing Address: 255 Glacier Dr. Martinez, CA 94553

E-Mail Address: mary.halle@pw.cccounty.us

Telephone: 925-313-2327

Secondary Contact (in event primary not available): Trevor McGuire

E-Mail Address: trevor.mcguire@pw.cccounty.us

Telephone: 925-313-2166

Short Title Description of Project: San Pablo Dam Road Sidewalk Gap Project – East of Appian Way

Amount of claim: \$100,000

Functional Description of Project:

Construct a total of 1420 feet of curb, gutter, and sidewalk over four locations on San Pablo Dam Road between Appian Way and Clark Road to fill gaps in existing sidewalk.

Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

Project Elements: Planning, engineering, construction, contingency

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		\$100,000			\$100,000
list all other sources:					
1. HSIP Grant		\$613,920			\$613,920
2. Local road funds		\$192,380			\$192,380
3.					
4.					
Totals		\$906,300			\$906,300

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated). <u>Anticipated Jan 5, 2015</u>	Not yet approved.
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	No
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: http://www.dot.ca.gov).	NA
D. Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: <u>12/07/2015</u>	Yes
E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).	Pending
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) <u>November 2018</u>	Yes
G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____)	Yes

PUBLIC WORKS DEPARTMENT
INITIAL STUDY OF
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: WO #1025
CP# 15-51

PROJECT NAME: San Pablo Dam Road Sidewalk Project – Appian to Clark
PREPARED BY: Alex Nattkemper *AN* DATE: December 21, 2015
APPROVED BY: *MCB* DATE: 1-11-16

RECOMMENDATIONS:

- ☒ **Categorical Exemption** [Class 1(c)]
☐ Environmental Impact Report Required
- ☐ Negative Declaration
☐ Conditional Negative Declaration

The project will not have a significant effect on the environment. The recommendation is based on the following: The project consists of minor alteration of existing public facilities, involving negligible expansion of use beyond that previously existing pursuant to section 15301(c) of the CEQA guidelines. The project will not result in the removal of any scenic resource.

What changes to the project would mitigate the identified impacts: N/A

USGS Quad Sheet: Richmond	Base Map Sheet #: J-6	Parcel #: N/A
---------------------------	-----------------------	---------------

GENERAL CONSIDERATIONS:

1. **Location:** The project is located in west Contra Costa County in the unincorporated community of El Sobrante [Figures 1-3].
2. **Project Description:** The purpose of this project is to improve pedestrian access and safety on a segment of San Pablo Dam Road, which is a principal arterial that runs through the heart of El Sobrante. Currently, pedestrian infrastructure on San Pablo Dam Road east of Appian Way has multiple gaps which force pedestrians to walk in the parking lane or to cross the street midblock in order to walk on the opposite side of the street. The proposed project will fill four sidewalk gaps on San Pablo Dam Road from Appian Way to Clark Road, making the area more pedestrian friendly.

Gap 1 is located on the south side of San Pablo Dam Road, from 450 feet east of Appian Way to 620 feet east of Appian Way. Gap 1 will include construction of approximately 170 feet of curb, gutter and five foot wide sidewalk, as well as one driveway conform. Non-native vegetation and fencing will be removed to accommodate the proposed sidewalk. Gap 2 is located on the north side of San Pablo Dam Road, from Milton Drive to 230 feet east of Milton Drive. Gap 2 will include construction of approximately 230 feet of curb, gutter, and five foot wide sidewalk, as well as four driveway conforms. Gap 3 is located on the south side of San Pablo Dam Road, from 500 feet west of Clark Road to 300 feet west of Clark Road. Gap 3 will include construction of approximately 200 feet of curb, gutter, and five foot wide sidewalk, as well as two driveway conforms. Gap 4 is located on the north side of San Pablo Dam Road, from 820 feet west of Clark Road to Clark Road. Gap 4 will include construction of approximately 820 feet of curb, gutter, and five foot wide sidewalk, as well as thirteen driveway conforms.

Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. One lane will be open for traffic in both directions during construction activities. Emergency vehicles will have access at all times. Real property transactions, including right-of-way acquisitions and temporary construction easements from adjacent properties, may be necessary in support of this project. Tree and shrubbery trimming may be necessary throughout the project area and some limited removal of ornamental shrubs and trees may be required. In order to minimize damage to trees, any roots exposed during construction activities will be clean cut. Utility poles, fencing, decorative frontage walls, mailboxes and drainage infrastructure will be removed, relocated or modified to accommodate the proposed sidewalk. On-street parking may be prohibited along short segments of curb in order to avoid removal of fences, walls, or trees. Driveways of fronting property owners will be temporarily closed during construction, but advance warning of the project construction schedule will be provided to property owners.
3. **Does it appear that any feature of the project will generate significant public concern?**
☐ Yes ☒ No ☐ maybe (Nature of concern):
4. **Will the project require approval or permits by other than a County agency?**
☐ Yes ☒ No
5. **Is the project within the Sphere of Influence of any city?** City of Richmond

San Pablo Dam Road Sidewalk Project Appian to Clark

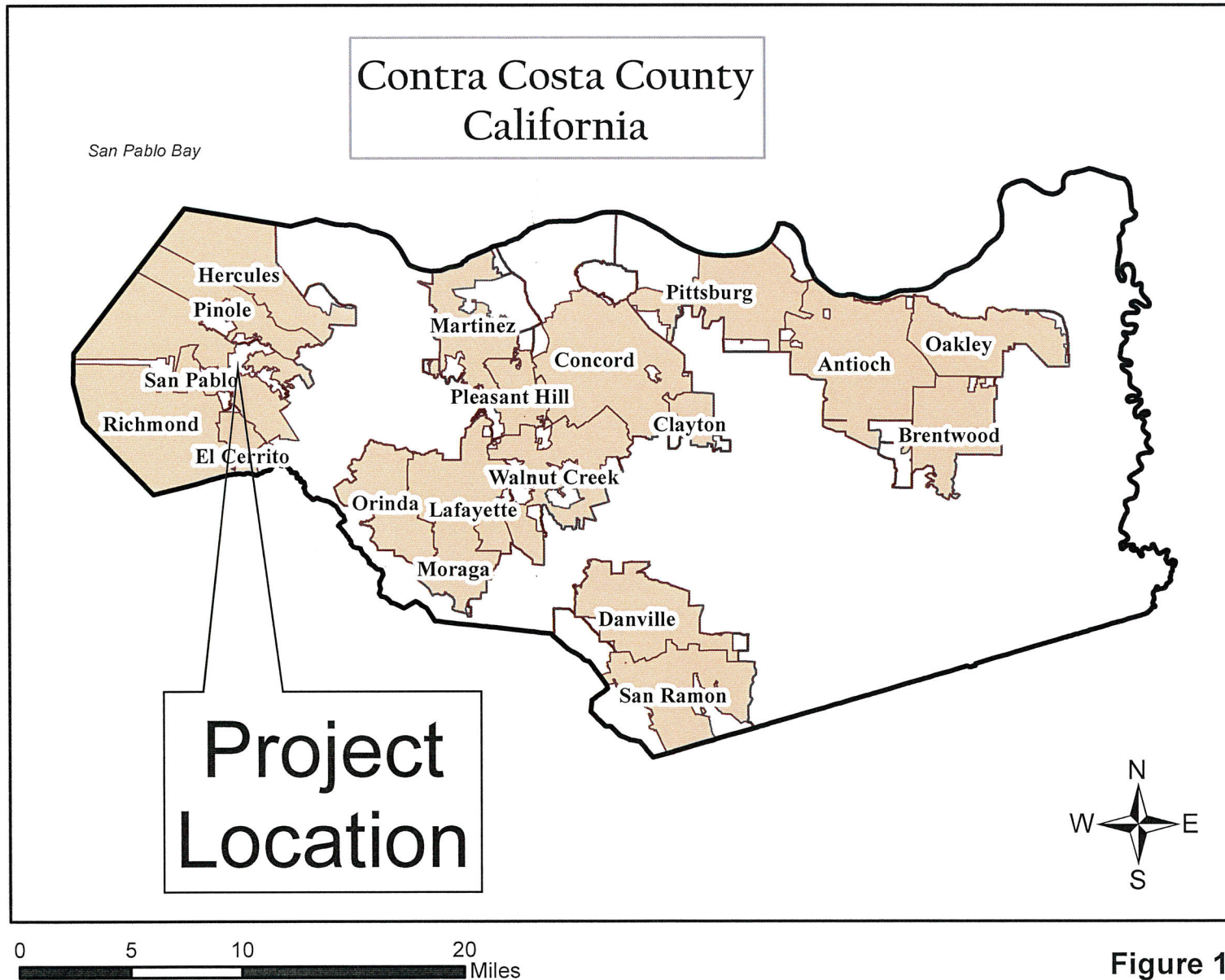


Figure 1

San Pablo Dam Road Sidewalk Project Appian to Clark

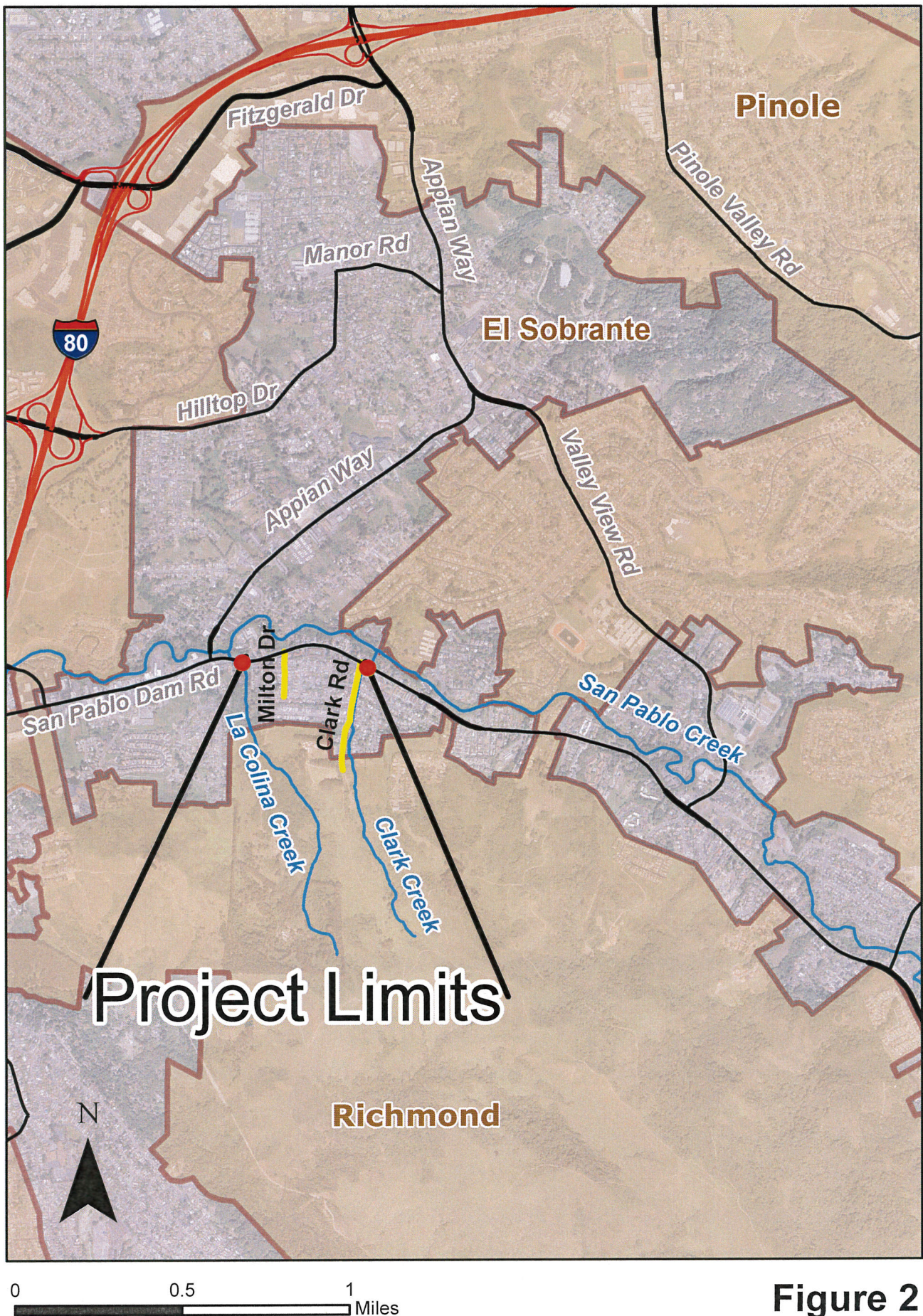


Figure 2



SCALE
1:250



Contra Costa County
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PROJECT LAYOUT

SAN PABLO DAM ROAD
APPIAN WAY TO CLARK ROAD

FEDERAL ID NO.:

DB: TM

CB: MH

DATE: JULY 2015

SHEET 1 OF 1

Figure 3

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Notice of Exemption

To: ☐ Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

☒ County Clerk
County of: Contra Costa

From: Contra Costa County
Dept. of Conservation & Development
30 Muir Road
Martinez, CA 94553

Project Title: San Pablo Dam Road Sidewalk Project – Appian to Clark, WO#1025 & CP#15-51

Project Applicant: Contra Costa County Public Works Department

Project Location – **Specific:** San Pablo Dam Road from Appian Way to Clark Road in El Sobrante

Project Location: Unincorporated Community of El Sobrante Project Location – County: Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of this project is to improve pedestrian access and safety on a segment of San Pablo Dam Road, which is a principal arterial that runs through the heart of El Sobrante. The proposed project will fill four sidewalk gaps on San Pablo Dam Road from Appian Way to Clark Road, making the area more pedestrian friendly. Gap 1 is located on the south side of San Pablo Dam Road, from 450 feet east of Appian Way to 620 feet east of Appian Way. Gap 1 will include construction of approximately 170 feet of curb, gutter and five foot wide sidewalk, as well as one driveway conform. Non-native vegetation and fencing will be removed to accommodate the proposed sidewalk. Gap 2 is located on the north side of San Pablo Dam Road, from Milton Drive to 230 feet east of Milton Drive. Gap 2 will include construction of approximately 230 feet of curb, gutter, and five foot wide sidewalk, as well as four driveway conforms. Gap 3 is located on the south side of San Pablo Dam Road, from 500 feet west of Clark Road to 300 feet west of Clark Road. Gap 3 will include construction of approximately 200 feet of curb, gutter, and five foot wide sidewalk, as well as two driveway conforms. Gap 4 is located on the north side of San Pablo Dam Road, from 820 feet west of Clark Road to Clark Road. Gap 4 will include construction of approximately 820 feet of curb, gutter, and five foot wide sidewalk, as well as thirteen driveway conforms. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. One lane will be open for traffic in both directions during construction activities. Emergency vehicles will have access at all times. Real property transactions, including right-of-way acquisitions and temporary construction easements from adjacent properties, may be necessary in support of this project. Tree and shrubbery trimming may be necessary throughout the project area and some limited removal of ornamental shrubs and trees may be required. In order to minimize damage to trees, any roots exposed during construction activities will be clean cut. Utility poles, fencing, decorative frontage walls, mailboxes and drainage infrastructure will be removed, relocated or modified to accommodate the proposed sidewalk. On-street parking may be prohibited along short segments of curb in order to avoid removal of fences, walls, or trees. Driveways of fronting property owners will be temporarily closed during construction , but advance warning of the project construction schedule will be provided to property owners.

Name of Public Agency Approving Project: **Contra Costa County**

Name of Person or Agency Carrying Out Project: **Contra Costa County Public Works Department**

Exempt Status:

<input type="checkbox"/> Ministerial Project (Sec. 21080(b) (1); 15268;	<input checked="" type="checkbox"/> Categorical Exemption: Class 1(c)
<input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a));	<input type="checkbox"/> Other Statutory Exemption, Code No.: _____
<input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269(b)(c));	<input type="checkbox"/> General Rule of Applicability [Article 5, Section 15061 (b)(3)]

Reasons why project is exempt: **The project consists of minor alteration of existing public facilities, involving negligible expansion of use beyond that previously existing; pursuant to section 15301(c) of the CEQA guidelines. The project will not result in the removal of any scenic resource.**

Lead Agency Contact Person: **Alex Nattkemper - Public Works Dept.** Area Code/Telephone/Extension: **(925) 313-2364**

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency ☐ Signed by Applicant

AFFIDAVIT OF FILING AND POSTING

I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

Signature

Title

Applicant: Public Works Department 255 Glacier Drive Martinez, CA 94553 Attn: Alex Nattkemper Environmental Services Division Phone: (925) 313-2364	Department of Fish and Game Fees Due <input type="checkbox"/> EIR - \$3,070.00 <input type="checkbox"/> Neg. Dec. - \$2,210.25 <input type="checkbox"/> DeMinimis Findings - \$0 <input checked="" type="checkbox"/> County Clerk - \$50 <input checked="" type="checkbox"/> Conservation & Development - \$25	Total Due: \$ <u>75.00</u> Total Paid \$ _____ Receipt #: _____
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PUBLIC WORKS DEPARTMENT
INITIAL STUDY OF
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: WO #1025
CP# 15-51

PROJECT NAME: San Pablo Dam Road Sidewalk Project – Appian to Clark
PREPARED BY: Alex Nattkemper DATE: January 6, 2016
APPROVED BY: _____ DATE: _____

RECOMMENDATIONS:

- ☒ **Categorical Exemption** [Class 1(c)]
- ☐ Environmental Impact Report Required
- ☐ Negative Declaration
- ☐ Conditional Negative Declaration

The project will not have a significant effect on the environment. The recommendation is based on the following: The project consists of minor alteration of existing public facilities, involving negligible expansion of use beyond that previously existing pursuant to section 15301(c) of the CEQA guidelines. The project will not result in the removal of any scenic resource.

What changes to the project would mitigate the identified impacts: N/A

USGS Quad Sheet: Richmond	Base Map Sheet #: J-6	Parcel #: N/A
---------------------------	-----------------------	---------------

GENERAL CONSIDERATIONS:

1. **Location:** The project is located in west Contra Costa County in the unincorporated community of El Sobrante [Figures 1-3].

2. **Project Description:** The purpose of this project is to improve pedestrian access and safety on a segment of San Pablo Dam Road, which is a principal arterial that runs through the heart of El Sobrante. Currently, pedestrian infrastructure on San Pablo Dam Road east of Appian Way has multiple gaps which force pedestrians to walk in the parking lane or to cross the street midblock in order to walk on the opposite side of the street. The proposed project will fill four sidewalk gaps on San Pablo Dam Road from Appian Way to Clark Road, making the area more pedestrian friendly.

Gap 1 is located on the south side of San Pablo Dam Road, from 450 feet east of Appian Way to 620 feet east of Appian Way. Gap 1 will include construction of approximately 170 feet of curb, gutter and five foot wide sidewalk, as well as one driveway conform. Non-native vegetation and fencing will be removed to accommodate the proposed sidewalk. Gap 2 is located on the north side of San Pablo Dam Road, from Milton Drive to 230 feet east of Milton Drive. Gap 2 will include construction of approximately 230 feet of curb, gutter, and five foot wide sidewalk, as well as four driveway conforms. Gap 3 is located on the south side of San Pablo Dam Road, from 500 feet west of Clark Road to 300 feet west of Clark Road. Gap 3 will include construction of approximately 200 feet of curb, gutter, and five foot wide sidewalk, as well as two driveway conforms. Gap 4 is located on the north side of San Pablo Dam Road, from 820 feet west of Clark Road to Clark Road. Gap 4 will include construction of approximately 820 feet of curb, gutter, and five foot wide sidewalk, as well as thirteen driveway conforms.

Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. One lane will be open for traffic in both directions during construction activities. Emergency vehicles will have access at all times. Real property transactions, including right-of-way acquisitions and temporary construction easements from adjacent properties, may be necessary in support of this project. Tree and shrubbery trimming may be necessary throughout the project area and some limited removal of ornamental shrubs and trees may be required. In order to minimize damage to trees, any roots exposed during construction activities will be clean cut. Utility poles, fencing, decorative frontage walls, mailboxes and drainage infrastructure will be removed, relocated or modified to accommodate the proposed sidewalk. On-street parking may be prohibited along short segments of curb in order to avoid removal of fences, walls, or trees. Driveways of fronting property owners will be temporarily closed during construction, but advance warning of the project construction schedule will be provided to property owners.

3. **Does it appear that any feature of the project will generate significant public concern?**
☐ Yes ☒ **No** ☐ maybe (Nature of concern):

4. **Will the project require approval or permits by other than a County agency?**
☐ Yes ☒ **No**

5. **Is the project within the Sphere of Influence of any city?** City of Richmond



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 19, 2016

Subject: APPROVE the Blackhawk Road Bikeway Project and related actions under the California Environmental Quality Act

RECOMMENDATION(S):

APPROVE the Blackhawk Road Bikeway Project and AUTHORIZE the Public Works Director, or designee, to advertise the project, Blackhawk area. Project No.: 0676-6P1025, DCD-CP#15-48 (District 3);

DETERMINE the project is a California Environmental Quality Act (CEQA), Class 1c Categorical Exemption, pursuant to Section 15301 (c) of the CEQA Guidelines; and

AUTHORIZE the Public Works Director to arrange for payment of a \$25 fee to Conservation and Development for processing, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

ADOPT Resolution No. 2016/37 to approve and authorize the Public Works Director, or designee, to submit a 2016/2017 Transportation Development Act (TDA) Grant Application to the Metropolitan Transportation Commission in the total amount of \$100,000 for fiscal year 2016/2017 for the Blackhawk Road Bikeway Project.

FISCAL IMPACT:

This project will be funded by approximately 27% Transportation Development Act Grant Funds and 73% Local Road Funds.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Stacey M. Boyd, Deputy

Contact: Mary Halle 925-313-2327

cc:

BACKGROUND:

The purpose of this project is to improve bicyclist safety by providing bicycle lanes and related improvements over 3.6 miles of Blackhawk Road, providing an additional mode of transportation for commuting or recreation. There are no existing bicycle facilities along Blackhawk Road between Mt. Diablo Scenic Boulevard and Camino Tassajara. Blackhawk Road is the main access point for students who attend The Athenian School. This project would provide bicycle access for students and local residents to ride their bikes on Blackhawk Road for transportation or recreational purposes. In addition, the project would provide bicycle access for residents making trips to the shopping mall near Camino Tassajara and Blackhawk Road. There are also bus stops along the project limits, which mean this project will provide multi-modal connections for residents as well.

The project consists of striping Class II bicycle lanes on Blackhawk Road from San Andreas Drive to Blackhawk Plaza Circle within the existing roadway. Current lane widths, which are at or greater than the standard width of 12 feet, will need to be narrowed to accommodate the new Class II bicycle lanes. Existing striping will be removed and new striping will be installed between San Andreas Drive and Blackhawk Plaza Circle. This project will also place sharrow markings for Class III bike routes from San Andreas Drive to Mt. Diablo Scenic Boulevard and from Blackhawk Plaza Circle to Camino Tassajara, due to lack of existing roadway width for Class II bicycle lanes. Sign posts will be added along the entire length of the project area to designate the type of bikeway available. The project may include either a road surface treatment prior to restriping traffic lanes or existing striping will be removed and new striping will be installed. There will be no changes to existing drainage or utilities and no rights-of-way or easements will be needed as the project will stay entirely within the existing pavement. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. One lane will be open for traffic during construction activities. Emergency vehicles will have access at all times.

CONSEQUENCE OF NEGATIVE ACTION:

Delay in approving the project will result in a delay of design and construction and may jeopardize funding.

ATTACHMENTS

Resolution No. 2016/37

Attachment A

Attachment B

CEQA Blackhawk Road Bikeway

CEQA 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 01/19/2016 by the following vote:

		John Gioia
AYE:	<input checked="" type="checkbox"/>	Candace Andersen
	<input checked="" type="checkbox"/>	Karen Mitchoff
	<input checked="" type="checkbox"/>	Federal D. Glover
NO:	<input type="checkbox"/>	
ABSENT:	<input checked="" type="checkbox"/>	Mary N. Piepho
ABSTAIN:	<input type="checkbox"/>	
RECUSE:	<input type="checkbox"/>	



Resolution No. 2016/37

In the matter of APPROVING and AUTHORIZING the Public Works Director or designee to submit a 2016/2017 Transportation Development Act Grant application to the Metropolitan Transportation Commission in the total amount of \$100,00 for the Blackhawk Road Bikeway Project.

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No.4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the COUNTY OF CONTRA COSTA desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; now, therefore, be it

RESOLVED, that the COUNTY OF CONTRA COSTA declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and furthermore, be it

RESOLVED, that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of the COUNTY OF CONTRA COSTA to carry out the project; and furthermore, be it

RESOLVED, that the project has been reviewed by the Bicycle Advisory Committee (BAC) of COUNTY OF CONTRA COSTA; and furthermore, be it

RESOLVED, that the COUNTY OF CONTRA COSTA attests to the accuracy of and approves the statements in Attachment A to this resolution; and furthermore, be it

RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of CONTRA COSTA COUNTY for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

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

ATTESTED: January 19, 2016

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

Contact: Mary Halle 925-313-2327

By: Stacey M. Boyd, Deputy

cc:

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2016/2017 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

Findings

Page 1 of 1

1. That the COUNTY OF CONTRA COSTA is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the County of Contra Costa legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the COUNTY OF CONTRA COSTA has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the COUNTY OF CONTRA COSTA within the prior five fiscal years.
8. That the project(s) described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B will be completed before the funds expire.
11. That the COUNTY OF CONTRA COSTA agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2016/2017 Applicant: Contra Costa County Public Works

Contact person: Mary Halle

Mailing Address: 255 Glacier Drive, Martinez, CA 94553

E-Mail Address: mary.halle@pw.cccounty.us

Telephone: 925-313-2327

Secondary Contact (in event primary not available) Tianjun Cao

E-Mail Address: tcao@pw.cccounty.us

Telephone: 925-313-2110

Short Title Description of Project: Blackhawk Road Bikeway Project

Amount of claim: \$100,000

Functional Description of Project:

Stripe Class 2 bicycle lanes on Blackhawk Road from San Andreas Drive to Camino Tassajara within existing roadway. Current lane widths will need to be narrowed to accommodate the new Class 2 bicycle lanes. Sign Class 3 bicycle markings from San Andreas Drive to Mt. Diablo Scenic Boulevard.

Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

Project Elements: Construction

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		\$100,000			\$100,000
list all other sources:					
1. Local Gas Tax		\$65,000	\$209,000		\$274,000
2.					
3.					
4.					
Totals		\$165,000	\$209,000		\$374,000

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated). Anticipated on January 19, 2016	NOT YET
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	NO
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: http://www.dot.ca.gov).	YES
D. Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: <u>12/7/2015</u>	YES
E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).	Pending
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) June 2017 _____	YES
G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____)	YES

PUBLIC WORKS DEPARTMENT
INITIAL STUDY OF
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: WO# 1025

CP# 15-48

PROJECT NAME: Blackhawk Road Bikeway Project

PREPARED BY: Alex Nattkemper

DATE: January 4, 2016

APPROVED BY: [Signature] DATE: 1-11-16

RECOMMENDATIONS:

☒ **Categorical Exemption [Class I(c)]**

☐ Environmental Impact Report Required

☐ Negative Declaration

☐ Conditional Negative Declaration

The project will not have a significant effect on the environment. The recommendation is based on the following: The project consists of minor alteration of existing public facilities, involving negligible expansion of use beyond that previously existing, pursuant to section 15301(c) of the CEQA guidelines. The project will not result in the removal of any scenic resource.

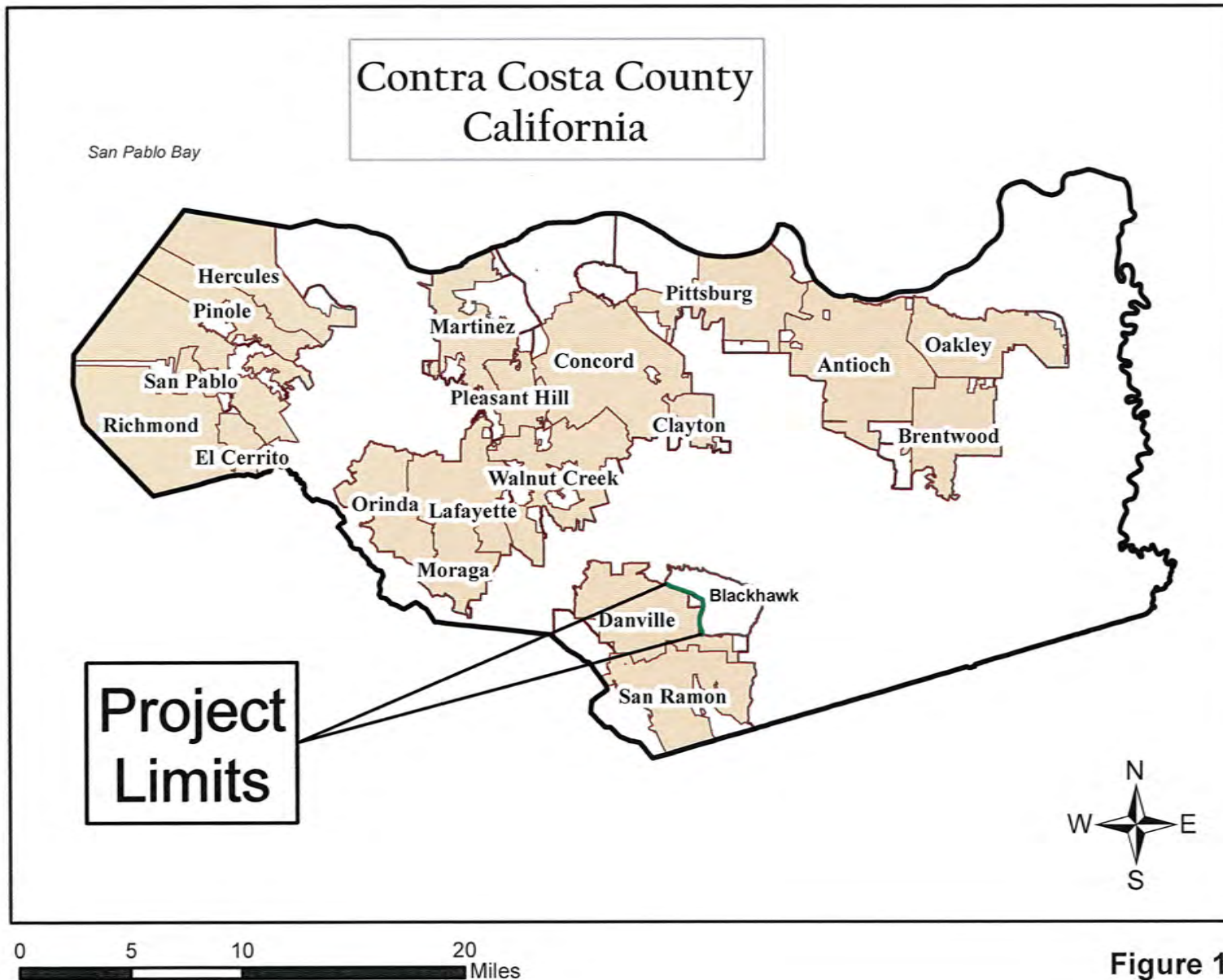
What changes to the project would mitigate the identified impacts: N/A

USGS Quad Sheet: <u>Diablo</u>	Base Map Sheet #: <u>S-17, S-18, T-18, U-18</u>	Parcel #: <u>N/A</u>
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GENERAL CONSIDERATIONS:

1. **Location:** The project is located in Contra Costa County in the unincorporated community of Blackhawk [Figures 1-15].
2. **Project Description:** The purpose of this project is to improve bicyclist safety by providing bicycle lanes and related improvements over 3.6 miles of Blackhawk Road, providing an additional mode of transportation for commuting or recreation. There are no existing bicycle facilities along Blackhawk Road between Mt. Diablo Scenic Boulevard and Camino Tassajara. Blackhawk Road is the main access point for students who attend The Athenian School. This project would provide bicycle access for students and local residents to ride their bikes on Blackhawk Road for transportation or recreational purposes. In addition, the project would provide bicycle access for residents making trips to the shopping mall near Camino Tassajara and Blackhawk Road. There are also bus stops along the project limits, which mean this project will provide multi-modal connections for residents as well. The project consists of striping Class II bicycle lanes on Blackhawk Road from San Andreas Drive to Blackhawk Plaza Circle within the existing roadway. Current lane widths will be narrowed where necessary to accommodate the new Class II bicycle lanes, but will remain at least 11 feet wide. Existing striping will be removed and new striping will be installed between San Andreas Drive to Blackhawk Plaza Circle. This project will also place "sharrow" markings for Class III bike routes from Mt. Diablo Scenic Boulevard to San Andreas Drive and from Blackhawk Plaza Circle to Camino Tassajara, due to lack of existing roadway width for Class II bicycle lanes. Sign posts will be added along the entire length of the project area to designate the type of bikeway available. The project may include a road surface treatment prior to restriping traffic lanes. There will be no changes to existing drainage or utilities and no rights-of-way or easements will be needed as the project will stay entirely within the existing pavement. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. One lane will be open for traffic during construction activities. Emergency vehicles will have access at all times.
3. **Does it appear that any feature of the project will generate significant public concern?**
☐ Yes ☒ No ☐ maybe (Nature of concern):
4. **Will the project require approval or permits by other than a County agency?**
☐ Yes ☒ No
5. **Is the project within the Sphere of Influence of any city?** No

Blackhawk Road Bikeway Project



Blackhawk Road Bikeway Project

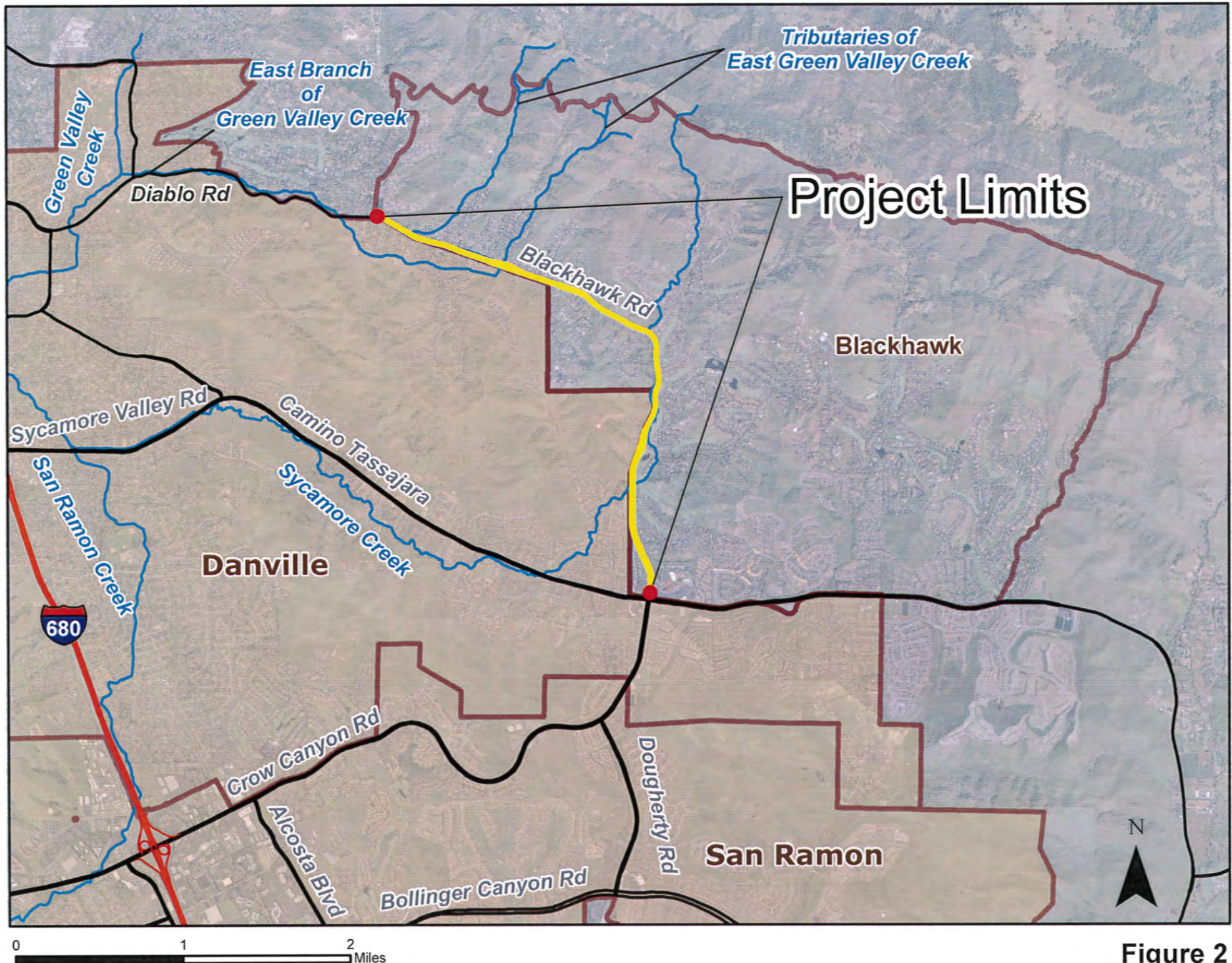
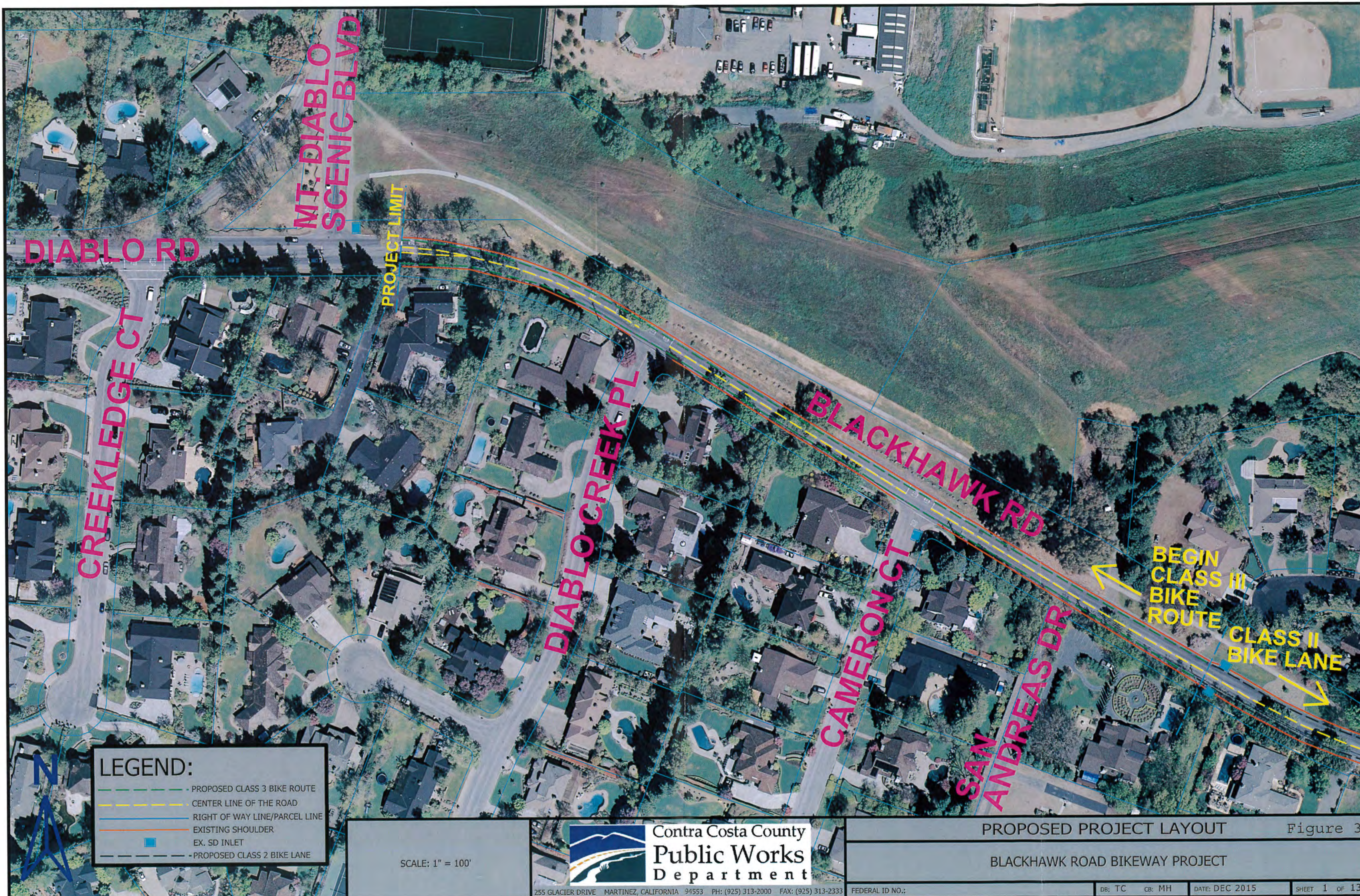
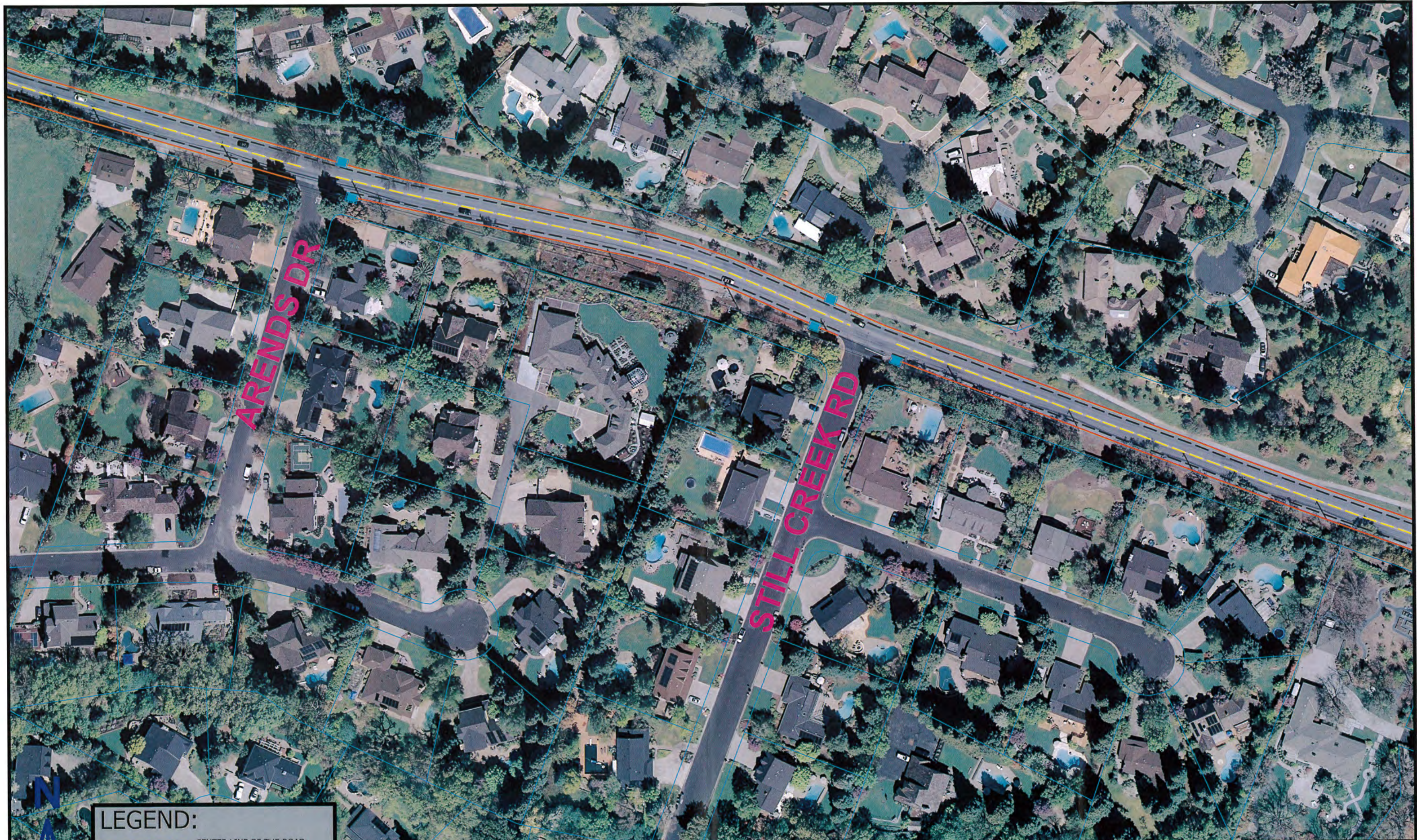


Figure 2





LEGEND:

- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 100'



Contra Costa County
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PROPOSED PROJECT LAYOUT

Figure 4

BLACKHAWK ROAD BIKEWAY PROJECT

FEDERAL ID NO.:

DB: TC

CB: MH

DATE: DEC 2015

SHEET 2 OF 13



LEGEND:

- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 100'



Contra Costa County
Public Works
Department

PROPOSED PROJECT LAYOUT		Figure 5	
BLACKHAWK ROAD BIKEWAY PROJECT			
DB: TC	CB: MH	DATE: DEC 2015	SHEET 3 OF 13



LEGEND:

- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 100'





LEGEND:

- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- - - PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 100'



Contra Costa County
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PROPOSED PROJECT LAYOUT

Figure 7

BLACKHAWK ROAD BIKEWAY PROJECT

FEDERAL ID NO.:

DB: TC

CB: MH

DATE: DEC 2015

SHEET 5 OF 13



LEGEND:

- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 100'



Contra Costa County
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

FEDERAL ID NO.:

PROPOSED PROJECT LAYOUT

Figure 8

BLACKHAWK ROAD BIKEWAY PROJECT



LEGEND:

- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 100'



Contra Costa County
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PROPOSED PROJECT LAYOUT

Figure 9

BLACKHAWK ROAD BIKEWAY PROJECT

FEDERAL ID NO.:

DB: TC

CB: MH

DATE: DEC 2015

SHEET 7 OF 13



LEGEND:

- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 100'



Contra Costa County
Public Works
 Department

PROPOSED PROJECT LAYOUT Figure 10

BLACKHAWK ROAD BIKEWAY PROJECT

FEDERAL ID NO.:	DB: TC CB: MH	DATE: DEC 2015	SHEET 8 OF 13
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LEGEND:

- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 100'



Contra Costa County
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PROPOSED PROJECT LAYOUT

Figure 11

BLACKHAWK ROAD BIKEWAY PROJECT

FEDERAL ID NO.:

DB: TC

CB: MH

DATE: DEC 2015

SHEET 9 OF 13



LEGEND:

- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 100'

Contra Costa County
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PROPOSED PROJECT LAYOUT Figure 12

BLACKHAWK ROAD BIKEWAY PROJECT


FEDERAL ID NO.:	DB: TC	CB: MH	DATE: DEC 2015	SHEET 10 OF 13
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LEGEND:

- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 100'



Contra Costa County
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PROPOSED PROJECT LAYOUT Figure 13

BLACKHAWK ROAD BIKEWAY PROJECT

FEDERAL ID NO.:	DB: TC CB: MH DATE: DEC 2015	SHEET 11 OF 13
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LEGEND:

- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 100'



Contra Costa County

Public Works

Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PROPOSED PROJECT LAYOUT		Figure 14	
BLACKHAWK ROAD BIKEWAY PROJECT			
FEDERAL ID NO.:	DB: TC	CB: MH	DATE: DEC 2015
			SHEET 12 OF 13



LEGEND:

- PROPOSED CLASS 3 BIKE ROUTE
- CENTER LINE OF THE ROAD
- RIGHT OF WAY LINE/PARCEL LINE
- EXISTING SHOULDER
- EX. SD INLET
- PROPOSED CLASS 2 BIKE LANE

SCALE: 1" = 150'

Contra Costa County
Public Works
Department

PROPOSED PROJECT LAYOUT Figure 15

BLACKHAWK ROAD BIKEWAY PROJECT

Notice of Exemption

To: ☐ Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

☒ County Clerk
County of: Contra Costa

From: Contra Costa County
Dept. of Conservation & Development
30 Muir Road
Martinez, CA 94553

Project Title: [Blackhawk Road Bikeway Project, WO# 1025 & CP# 15-48](#)

Project Applicant: Contra Costa County Public Works Department

Project Location – **Specific:** Along Blackhawk Road between Mt. Diablo Scenic Boulevard and Camino Tassajara

Project Location: Unincorporated Community of Blackhawk Project Location – County: [Contra Costa](#)

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of this project is to improve bicyclist safety by providing bicycle lanes and related improvements over 3.6 miles of Blackhawk Road, providing an additional mode of transportation for commuting or recreation. There are no existing bicycle facilities along Blackhawk Road between Mt. Diablo Scenic Boulevard and Camino Tassajara. Blackhawk Road is the main access point for students who attend The Athenian School. This project would provide bicycle access for students and local residents to ride their bikes on Blackhawk Road for transportation or recreational purposes. In addition, the project would provide bicycle access for residents making trips to the shopping mall near Camino Tassajara and Blackhawk Road. There are also bus stops along the project limits, which mean this project will provide multi-modal connections for residents as well. The project consists of striping Class II bicycle lanes on Blackhawk Road from San Andreas Drive to Blackhawk Plaza Circle within the existing roadway. Current lane widths will be narrowed where necessary to accommodate the new Class II bicycle lanes, but will remain at least 11 feet wide. Existing striping will be removed and new striping will be installed between San Andreas Drive to Blackhawk Plaza Circle. This project will also place “sharrow” markings for Class III bike routes from Mt. Diablo Scenic Boulevard to San Andreas Drive and from Blackhawk Plaza Circle to Camino Tassajara, due to lack of existing roadway width for Class II bicycle lanes. Sign posts will be added along the entire length of the project area to designate the type of bikeway available. The project may include a road surface treatment prior to restriping traffic lanes. There will be no changes to existing drainage or utilities and no rights-of-way or easements will be needed as the project will stay entirely within the existing pavement. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. One lane will be open for traffic during construction activities. Emergency vehicles will have access at all times.

Name of Public Agency Approving Project: **Contra Costa County**

Name of Person or Agency Carrying Out Project: **Contra Costa County Public Works Department**

Exempt Status:

☐ Ministerial Project (Sec. 21080(b) (1); 15268;
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☒ Categorical Exemption: **Class 1(c)**
☐ Other Statutory Exemption, Code No.: _____
☐ General Rule of Applicability [Article 5, Section 15061 (b)(3)]

Reasons why project is exempt: **The project consists of minor alteration of existing public facilities, involving negligible expansion of use beyond that previously existing; pursuant to section 15301(c) of the CEQA guidelines. The project will not result in the removal of any scenic resource.**

Lead Agency Contact Person: [Alex Nattkemper](#) - **Public Works Dept.** Area Code/Telephone/Extension: [\(925\) 313-2364](#)

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency ☐ Signed by Applicant

AFFIDAVIT OF FILING AND POSTING

I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

Signature

Title

Applicant:
Public Works Department
255 Glacier Drive
Martinez, CA 94553
Attn: [Alex Nattkemper](#)
Environmental Services Division
Phone: [\(925\) 313-2364](#)

Department of Fish and Game Fees Due
☐ EIR - \$3,070.⁰⁰
☐ Neg. Dec. - \$2,210.²⁵
☐ DeMinimis Findings - \$0
☒ **County Clerk - \$50**
☒ **Conservation & Development - \$25**

Total Due: \$ [75.⁰⁰](#)
Total Paid \$ _____
Receipt #: _____

PUBLIC WORKS DEPARTMENT
INITIAL STUDY OF
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: WO # 1025
CP# 15-48

PROJECT NAME: Blackhawk Road Bikeway Project

PREPARED BY: Alex Nattkemper

DATE: January 6, 2016

APPROVED BY: _____ DATE: _____

RECOMMENDATIONS:

- ☒ Categorical Exemption [Class 1(c)]
☐ Environmental Impact Report Required
- ☐ Negative Declaration
☐ Conditional Negative Declaration

The project will not have a significant effect on the environment. The recommendation is based on the following: The project consists of minor alteration of existing public facilities, involving negligible expansion of use beyond that previously existing, pursuant to section 15301(c) of the CEQA guidelines. The project will not result in the removal of any scenic resource.

What changes to the project would mitigate the identified impacts: N/A

USGS Quad Sheet: Diablo	Base Map Sheet #: S-17, S-18, T-18, U-18	Parcel #: N/A
-------------------------	--	---------------

GENERAL CONSIDERATIONS:

1. **Location:** The project is located in southern Contra Costa County in the unincorporated community of Blackhawk [Figures 1-15].
2. **Project Description:** The purpose of this project is to improve bicyclist safety by providing bicycle lanes and related improvements over 3.6 miles of Blackhawk Road, providing an additional mode of transportation for commuting or recreation. There are no existing bicycle facilities along Blackhawk Road between Mt. Diablo Scenic Boulevard and Camino Tassajara. Blackhawk Road is the main access point for students who attend The Athenian School. This project would provide bicycle access for students and local residents to ride their bikes on Blackhawk Road for transportation or recreational purposes. In addition, the project would provide bicycle access for residents making trips to the shopping mall near Camino Tassajara and Blackhawk Road. There are also bus stops along the project limits, which mean this project will provide multi-modal connections for residents as well. The project consists of striping Class II bicycle lanes on Blackhawk Road from San Andreas Drive to Camino Tassajara within the existing roadway. Current lane widths, which are at or greater than the standard width of 12 feet, will need to be narrowed from Blackhawk Drive to Camino Tassajara to accommodate the new Class II bicycle lanes. Existing striping will be removed and new striping will be installed between Blackhawk Drive and Camino Tassajara. This project will also place sharrow markings for Class III bike routes from San Andreas Drive to Mt. Diablo Scenic Boulevard and from Blackhawk Plaza Circle to Camino Tassajara, due to lack of existing roadway width for Class II bicycle lanes. Sign posts will be added along the entire length of the project area to designate the type of bike lane available. The project may include either a road surface treatment prior to restriping traffic lanes or existing striping will be removed and new striping will be installed. There will be no changes to existing drainage or utilities and no rights-of-way or easements will be needed as the project will stay entirely within the existing pavement. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. One lane will be open for traffic during construction activities. Emergency vehicles will have access at all times.
3. **Does it appear that any feature of the project will generate significant public concern?**
☐ Yes ☒ No ☐ maybe (Nature of concern):
4. **Will the project require approval or permits by other than a County agency?**
☐ Yes ☒ No
5. **Is the project within the Sphere of Influence of any city?** No



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 19, 2016

Subject: Approve the second extension of Road Improvement Agreement RA04-01180, Bethel Island area.

RECOMMENDATION(S):

ADOPT Resolution No. 2016/22 approving the second extension of Road Improvement Agreement RA04-01180 (cross-reference subdivision SD80-06013), for Waterside Place and Edgewater Court, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The terminal date of the Road Improvement Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 95% of the work has been completed to date.) By granting an extension, the County will give the developer more time to complete the improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Road Improvement Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Jocelyn A. B. LaRocque,
925-313-2315

ATTACHMENTS

Resolution No. 2016/22

Second Extension & Bond

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 01/19/2016 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover,
District V Supervisor

NO: ☐

ABSENT: Mary N. Piepho, District III Supervisor

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2016/22

IN THE MATTER OF approving the second extension of Road Improvement Agreement RA04-01180 (cross-reference subdivision SD80-06013), for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

WHEREAS, the Public Works Director, having recommended that she be authorized to execute the second agreement extension, which extends the Road Improvement Agreement between SDC Delta Coves, LLC, a Delaware Limited Liability Company and the County for construction of certain improvements in RA04-01180, Bethel Island area, through January 8, 2017:

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 95%

ANTICIPATED DATE OF COMPLETION: December 2016

BOND NO.: 1075682

DATE: October 19, 2012

REASON FOR EXTENSION: Project was in bankruptcy. Work has since continued.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

Contact: Jocelyn A. B. LaRocque, 925-313-2315

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

cc: J. A.B. LaRocque - Engineering Services , Current Planning - DCD, T - 11-9-16, SDC Delta Coves, LLC, c/o Argent Mgmt., LLC, 2392 Morse Ave. Irvine, CA 92614, Lexon Insurance Co. 12890 Lebanon Rd Mt Juliet TN 37122, Design/Construction

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01180

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075682

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 201,000.00 (Performance)

\$ 101,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Bruce Cook, Anthony Signature
Developer's Signature(s)

By: _____

Bruce Cook, Anthony Signature
Printed

Developer's Signature(s)

RECOMMENDED FOR APPROVAL:

Printed

By: _____
(Engineering Services Division)

Address

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

Surety or Financial Institution

Address

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Attorney in Facts Signature

Printed

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 Orange)On November 19, 2015 before me, Elizabeth Menicucci, Notary Public
Date Here Insert Name and Title of the Officerpersonally appeared Bruce Cook

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

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

CONTRA COSTA COUNTY
ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01180

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Company

BOND No. 1075682

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 201,000.00 (Performance)

\$ 101,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Julia R. Bueren, Anthony S. Zuckerman
Developer's Signature(s)

Julia R. Bueren, Anthony S. Zuckerman
Printed

By: _____

Printed

Developer's Signature(s)

RECOMMENDED FOR APPROVAL:

Printed

By: _____
(Engineering Services Division)

Address

Lexon Insurance Company

Surety or Financial Institution

12890 Lebanon Rd., Mt. Juliet, TN 37122

Address

Shane Wolf
Attorney in Facts Signature

Attorney in Facts Signature

Shane Wolf, Attorney-in-Fact

Printed

(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

ALL-PURPOSE CERTIFICATE OF 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 Orange }

On December 16, 2015 before me, Susan E. Morales, Notary Public,
(Here insert name and title of the officer)

personally appeared Shane Wolf,
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.

Susan E. Morales
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bond - Agreement Extension

(Title or description of attached document)

Lexon Insurance Company

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/16/15

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☒ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- 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 with a staple.

POWER OF ATTORNEY

LX-234669

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this _____ Day of _____, 20 DEC 16 2015



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 19, 2016

Subject: Approve the second extension of Road Improvement Agreement RA04-01183, Bethel Island area.

RECOMMENDATION(S):

ADOPT Resolution No. 2016/25 approving the second extension of Road Improvement Agreement RA04-01183 (cross-reference subdivision SD80-06013), for Sea Drift Drive, Sea Meadow Court and Slough Place, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The terminal date of the Road Improvement Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 95% of the work has been completed to-date.) By granting an extension, the County will give the developer more time to complete the improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Road Improvement Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016**

☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Jocelyn A. B. LaRocque,
925-313-2315

ATTACHMENTS

Resolution No. 2016/25

Second Extension & Bond

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 01/19/2016 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover,
District V Supervisor

NO: ☐

ABSENT: Mary N. Piepho, District III Supervisor

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2016/25

IN THE MATTER OF approving the second extension of Road Improvement Agreement RA04-01183 (cross-reference subdivision SD80-06013), for Sea Drift Drive, Sea Meadow Court and Slough Place, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

WHEREAS, the Public Works Director, having recommended that she be authorized to execute the second agreement extension, which extends the Road Improvement Agreement between SDC Delta Coves, LLC, a Delaware Limited Liability Company and the County for construction of certain improvements in RA04-01183, Bethel Island area, through January 8, 2017:

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 95%

ANTICIPATED DATE OF COMPLETION: December 2016

BOND NO.: 1075685

DATE: October 19, 2012

REASON FOR EXTENSION: Project was in bankruptcy. Work has since continued.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

Contact: Jocelyn A. B. LaRocque, 925-313-2315

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

cc: J. A.B. LaRocque - Engineering Services , Design/Construction, Current Planning - DCD, T - 11-9-16, SDC Delta Coves, LLC, c/o Argent Mgmt., LLC, 2392 Morse Ave. Irvine, CA 92614, Lexon Insurance Co. 12890 Lebanon Rd Mt Juliet TN 37122

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01183

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075685

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 326,000.00 (Performance)

\$ 164,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s)

Bruce Cook, Auth'd Signature

By: _____

Printed

Developer's Signature(s)

RECOMMENDED FOR APPROVAL:

Printed

By: _____
(Engineering Services Division)

Address

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

Surety or Financial Institution

Address

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Attorney in Facts Signature

Printed

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

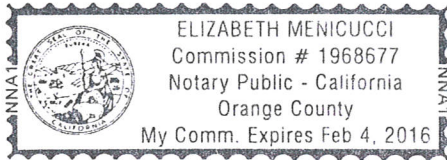
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)
On November 19, 2015 before me, Elizabeth Menicucci, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Bruce Cook
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 Elizabeth Menicucci
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

CONTRA COSTA COUNTY
ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01183

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075685

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 326,000.00 (Performance)

\$ 164,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

B. Wolf
Developer's Signature(s)

Bruce Cook, Andrew S. Smith
Printed

By: _____

Developer's Signature(s)

Printed

RECOMMENDED FOR APPROVAL:

By: _____
(Engineering Services Division)

Address

Lexon Insurance Company

Surety or Financial Institution

12890 Lebanon Rd., Mt. Juliet, TN 37122

Address,

Shane Wolf
Attorney in Facts Signature

Shane Wolf, Attorney-in-Fact

Printed

(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

ALL- PURPOSE CERTIFICATE OF 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 Orange }

On December 16, 2015 before me, Susan E. Morales, Notary Public,
(Here insert name and title of the officer)

personally appeared Shane Wolf
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.

Susan E. Morales
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bond - Agreement Extension

(Title or description of attached document)

Lexon Insurance Company

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/16/15

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☒ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- 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 with a staple.

POWER OF ATTORNEY

LX-234672

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
Mv Commission Expires 01-09-16

BY

Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this _____ Day of _____, 20 **DEC 16 2015**



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 19, 2016

Subject: Approve the second extension of Road Improvement Agreement RA04-01184, Bethel Island area.

RECOMMENDATION(S):

ADOPT Resolution No. 2016/26 approving the second extension of Road Improvement Agreement RA04-01184 (cross-reference subdivision SD80-06013), for Shoreline Place, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The terminal date of the Road Improvement Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 95% of the work has been completed to-date.) By granting an extension, the County will give the developer more time to complete the improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Road Improvement Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016**

☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Jocelyn A. B. LaRocque,
925-313-2315

ATTACHMENTS

Resolution No. 2016/26

Second Extension & Bond

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 01/19/2016 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover,
District V Supervisor

NO: ☐

ABSENT: Mary N. Piepho, District III Supervisor

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2016/26

IN THE MATTER OF approving the second extension of Road Improvement Agreement RA04-01184 (cross-reference subdivision SD80-06013), for Shoreline Place, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

WHEREAS, the Public Works Director, having recommended that she be authorized to execute the second agreement extension, which extends the Road Improvement Agreement between SDC Delta Coves, LLC, a Delaware Limited Liability Company and the County for construction of certain improvements in RA04-01184, Bethel Island area, through January 8, 2017:

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 95%

ANTICIPATED DATE OF COMPLETION: December 2016

BOND NO.: 1075686

DATE: October 19, 2012

REASON FOR EXTENSION: Project was in bankruptcy. Work has since continued.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

Contact: Jocelyn A. B. LaRocque, 925-313-2315

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

cc: J. A.B. LaRocque - Engineering Services , Design/Construction, Current Planning - DCD, T - 11-9-16, SDC Delta Coves, LLC, c/o Argent Mgmt., LLC, 2392 Morse Ave. Irvine, CA 92614, Lexon Insurance Co. 12890 Lebanon Rd Mt Juliet TN 37122

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01184

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075686

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 110,000.00 (Performance)

\$ 55,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

B. Cook
Developer's Signature(s)

Bruce Cook, Authority Signature

Printed

By: _____

Developer's Signature(s)

RECOMMENDED FOR APPROVAL:

Printed

By: _____
(Engineering Services Division)

Address

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

Surety or Financial Institution

Address

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Attorney in Facts Signature

Printed

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

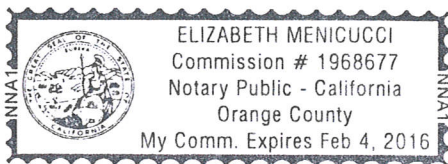
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Orange)
 On November 19, 2015 before me, Elizabeth Menicucci, Notary Public
 Date Here Insert Name and Title of the Officer
 personally appeared Bruce Cook
 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 Elizabeth Menicucci
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

CONTRA COSTA COUNTY
ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01184

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075686

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 110,000.00 (Performance)

\$ 55,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s) B. M. M.

Bruce Cook, Anthony S. S. S.

Printed

By: _____

Developer's Signature(s)

Printed

RECOMMENDED FOR APPROVAL:

By: _____
(Engineering Services Division)

Address

Lexon Insurance Company

Surety or Financial Institution

12890 Lebanon Rd., Mt. Juliet, TN 37122

Address

Shane Wolf

Attorney in Facts Signature

Shane Wolf, Attorney-in-Fact

Printed

(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

ALL- PURPOSE CERTIFICATE OF 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 Orange }

On December 16, 2015 before me, Susan E. Morales, Notary Public,
(Here insert name and title of the officer)

personally appeared Shane Wolf,
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.

Susan E. Morales
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bond - Agreement Extension

(Title or description of attached document)

Lexon Insurance Company

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/16/15

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☒ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- 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 with a staple.

POWER OF ATTORNEY

LX-234673

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this _____ Day of _____, 20 DEC 16 2015



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 19, 2016

Subject: Approve the second extension of Road Improvement Agreement RA07-01238, Bethel Island area.

RECOMMENDATION(S):

ADOPT Resolution No. 2016/27 approving the second extension of Road Improvement Agreement RA07-01238 (cross-reference subdivision SD80-06013), for Windsweep Road, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The terminal date of the Road Improvement Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 95% of the work has been completed to-date.) By granting an extension, the County will give the developer more time to complete the improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Road Improvement Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Jocelyn A. B. LaRocque,
925-313-2315

ATTACHMENTS

Resolution No. 2016/27

Second Extension & Bond

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 01/19/2016 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover,
District V Supervisor

NO: ☐

ABSENT: Mary N. Piepho, District III Supervisor

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2016/27

IN THE MATTER OF approving the second extension of Road Improvement Agreement RA07-01238 (cross-reference subdivision SD80-06013), for Windsweep Road, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

WHEREAS, the Public Works Director, having recommended that she be authorized to execute the second agreement extension, which extends the Road Improvement Agreement between SDC Delta Coves, LLC, a Delaware Limited Liability Company and the County for construction of certain improvements in RA07-01238, Bethel Island area, through January 8, 2017:

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 95%

ANTICIPATED DATE OF COMPLETION: December 2016

BOND NO.: 1075687

DATE: October 19, 2012

REASON FOR EXTENSION: Project was in bankruptcy. Work has since continued.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

Contact: Jocelyn A. B. LaRocque, 925-313-2315

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

cc: J. A.B. LaRocque - Engineering Services , Design/Construction, Current Planning - DCD, T - 11-9-16, SDC Delta Coves, LLC, c/o Argent Mgmt., LLC, 2392 Morse Ave. Irvine, CA 92614, Lexon Insurance Co. 12890 Lebanon Rd Mt Juliet TN 37122

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01238

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075687

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,450.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 574,000.00 (Performance)

\$ 288,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s)

Bruce Cook, Anthony S. Smith

Printed

By: _____

Developer's Signature(s)

Printed

RECOMMENDED FOR APPROVAL:

By: _____

(Engineering Services Division)

Address

Surety or Financial Institution

Address

(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

Attorney in Facts Signature

Printed

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

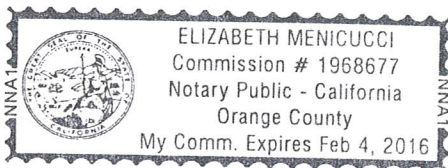
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)
On November 19, 2015 before me, Elizabeth Menicucci, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Bruce Cook
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 Elizabeth Menicucci
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

CONTRA COSTA COUNTY
ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01238

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075687

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,450.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 574,000.00 (Performance)

\$ 288,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Bat'll
Developer's Signature(s)

Bruce Gish, Anthony Smith
Printed

By: _____

Developer's Signature(s)

RECOMMENDED FOR APPROVAL:

Printed

By: _____
(Engineering Services Division)

Address

Lexon Insurance Company

Surety or Financial Institution

12890 Lebanon Rd., Mt. Juliet, TN 37122

Address

(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

[Signature]
Attorney in Facts Signature

Shane Wolf, Attorney-in-Fact

Printed

ALL- PURPOSE CERTIFICATE OF 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 Orange }

On December 16, 2015 before me, Susan E. Morales, Notary Public,
(Here insert name and title of the officer)

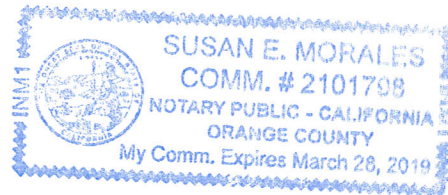
personally appeared Shane Wolf,
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose
name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that
he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by
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.

Susan E. Morales
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bond - Agreement Extension

(Title or description of attached document)

Lexon Insurance Company

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/16/15

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☒ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- 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 with a staple.

POWER OF ATTORNEY

LX-234674

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this _____ Day of _____, 20 DEC 16 2015



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 19, 2016

Subject: Approve the second extension of Road Improvement Agreement RA07-01239, Bethel Island area.

RECOMMENDATION(S):

ADOPT Resolution No. 2016/28 approving the second extension of Road Improvement Agreement RA07-01239 (cross-reference subdivision SD80-06013), for Delta Coves Drive and Sea Drift Drive, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The terminal date of the Road Improvement Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 95% of the work has been completed to-date.) By granting an extension, the County will give the developer more time to complete the improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Road Improvement Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Jocelyn A. B. LaRocque,
925-313-2315

ATTACHMENTS

Resolution No.

2016/28

Second 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 01/19/2016 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover,
District V Supervisor

NO: ☐

ABSENT: Mary N. Piepho, District III Supervisor

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2016/28

IN THE MATTER OF approving the second extension of Road Improvement Agreement RA07-01239 (cross-reference subdivision SD80-06013), for Delta Coves Drive and Sea Drift Drive, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

WHEREAS, the Public Works Director, having recommended that she be authorized to execute the second agreement extension, which extends the Road Improvement Agreement between SDC Delta Coves, LLC, a Delaware Limited Liability Company and the County for construction of certain improvements in RA07-01239, Bethel Island area, through January 8, 2017:

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 95%

ANTICIPATED DATE OF COMPLETION: December 2016

BOND NO.: 1075688

DATE: October 19, 2012

REASON FOR EXTENSION: Project was in bankruptcy. Work has since continued.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

Contact: Jocelyn A. B. LaRocque, 925-313-2315

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

cc: J. A.B. LaRocque - Engineering Services , Design/Construction, Current Planning - DCD, T - 11-9-16, SDC Delta Coves, LLC, c/o Argent Mgmt., LLC, 2392 Morse Ave. Irvine, CA 92614, Lexon Insurance Co. 12890 Lebanon Rd Mt Juliet TN 37122

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01239

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075688

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 3,375.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 1,344,000.00 (Performance)

\$ 674,000.00 (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: January 19, 2016

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s)

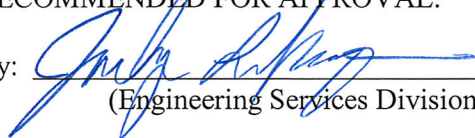
Printed

By: _____

Developer's Signature(s)

Printed

RECOMMENDED FOR APPROVAL:

By: 
(Engineering Services Division)

Address

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

Surety or Financial Institution

Address

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Attorney in Facts Signature

Printed

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

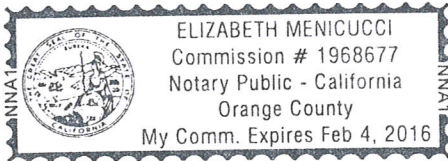
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Orange)
 On November 19, 2015 before me, Elizabeth Menicucci, Notary Public,
 Date Here Insert Name and Title of the Officer
 personally appeared Bruce Cook
 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 Elizabeth Menicucci
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
 Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01239

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075688

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 3,375.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 1,344,000.00 (Performance)

\$ 674,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s)

Printed

By: _____

Developer's Signature(s)

Printed

RECOMMENDED FOR APPROVAL:

By: _____
(Engineering Services Division)

Address

Lexon Insurance Company

Surety or Financial Institution

12890 Lebanon Rd., Mt. Juliet, TN 37122

Address

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

FORM APPROVED: Victor J. Westrum, County Counsel

After Approval Return to Clerk of the Board

Attorney in Facts Signature

Shane Wolf, Attorney-in-Fact

Printed

ALL-PURPOSE CERTIFICATE OF 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 Orange }

On December 16, 2015 before me, Susan E. Morales, Notary Public,
(Here insert name and title of the officer)

personally appeared Shane Wolf,
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.

Susan E. Morales
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bond - Agreement Extension

(Title or description of attached document)

Lexon Insurance Company

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/16/15

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☒ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- 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 with a staple.

POWER OF ATTORNEY

LX-234675

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this _____ Day of _____, 20 DEC 16 2015



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 19, 2016

Subject: Approve the second extension of Road Improvement Agreement RA04-01181, Bethel Island area.

RECOMMENDATION(S):

ADOPT Resolution No. 2016/23 approving the second extension of Road Improvement Agreement RA04-01181 (cross-reference subdivision SD80-06013), for Sea Gate Place, Seaward Court and Grey Whale Place, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The terminal date of the Road Improvement Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 95% of the work has been completed to-date.) By granting an extension, the County will give the developer more time to complete the improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Road Improvement Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed.



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Jocelyn A. B. LaRocque,
925-313-2315

ATTACHMENTS

Resolution No. 2016/23

Second Extension & Bond

Recorded at the request of: BOARD OF SUPERVISORS

Return To: PUBLIC WORKS DEPARTMENT, ENGINEERING SERVICES DIVISION

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

Adopted this Resolution on 01/19/2016 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover,
District V Supervisor

NO: ☐

ABSENT: Mary N. Piepho, District III Supervisor

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2016/23

IN THE MATTER OF approving the second extension of Road Improvement Agreement RA04-01181 (cross-reference subdivision SD80-06013), for Sea Gate Place, Seaward Court and Grey Whale Place, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

WHEREAS, the Public Works Director, having recommended that she be authorized to execute the second agreement extension, which extends the Road Improvement Agreement between SDC Delta Coves, LLC, a Delaware Limited Liability Company and the County for construction of certain improvements in RA04-01181, Bethel Island area, through January 8, 2017:

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 95%

ANTICIPATED DATE OF COMPLETION: December 2016

BOND NO.: 1075683

DATE: October 19, 2012

REASON FOR EXTENSION: Project was in bankruptcy. Work has since continued.

NOW, THEREFORE, LET IT BE RESOLVED that the recommendation of the Public Works Director is APPROVED.

Contact: Jocelyn A. B. LaRocque, 925-313-2315

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

cc: J. A.B. LaRocque - Engineering Services , Current Planning - DCD, Design/Construction, T - 11-9-16, SDC Delta Coves, LLC, c/o Argent Mgmt., LLC, 2392 Morse Ave. Irvine, CA 92614, Lexon Insurance Co. 12890 Lebanon Rd Mt Juliet TN 37122

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01181

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075683

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 240,000.00 (Performance)

\$ 120,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s)

Printed

By: _____

Developer's Signature(s)

RECOMMENDED FOR APPROVAL:

Printed

By: _____
(Engineering Services Division)

Address

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

Surety or Financial Institution

Address

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Attorney in Facts Signature

Printed

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 Orange)
 On November 19, 2015 before me, Elizabeth Menicucci, Notary Public
 Date Here Insert Name and Title of the Officer
 personally appeared Bonnie Cook
 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 Elizabeth Menicucci
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

CONTRA COSTA COUNTY
ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01181

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075683

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 240,000.00 (Performance)

\$ 120,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s)

Printed

By: _____

Developer's Signature(s)

Printed

RECOMMENDED FOR APPROVAL:

By: _____
(Engineering Services Division)

Address

Lexon Insurance Company

Surety or Financial Institution

12890 Lebanon Rd., Mt. Juliet, TN 37122

Address.

(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

Attorney in Facts Signature

Shane Wolf, Attorney-in-Fact

Printed

ALL-PURPOSE CERTIFICATE OF 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 Orange }

On December 16, 2015 before me, Susan E. Morales, Notary Public,
(Here insert name and title of the officer)

personally appeared Shane Wolf,
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.

Susan E. Morales
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bond - Agreement Extension

(Title or description of attached document)

Lexon Insurance Company

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/16/15

CAPACITY CLAIMED BY THE SIGNER

☐ Individual (s)

☐ Corporate Officer

(Title)

☐ Partner(s)

☒ Attorney-in-Fact

☐ Trustee(s)

☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- 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 with a staple.

POWER OF ATTORNEY

LX- 234670

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this _____ Day of _____, 20 **DEC 16 2015**



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 19, 2016

Subject: Approve the second extension of Drainage Improvement Agreement DG04-00051, Bethel Island area.

RECOMMENDATION(S):

ADOPT Resolution No. 2016/18 approving the second extension of Drainage Improvement Agreement DG04-00051 (cross-reference subdivision SD80-06013), for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The terminal date of the Drainage Improvement Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 95% of the work has been completed to-date.) By granting an extension, the County will give the developer more time to complete the improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Drainage Improvement Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

Contact: Jocelyn A. B. LaRocque
925-313-2315

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

ATTACHMENTS

Resolution No. 2016/18

Second Extension & Bond

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 01/19/2016 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover,
District V Supervisor

NO: ☐

ABSENT: Mary N. Piepho, District III Supervisor

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2016/18

IN THE MATTER OF approving the second extension of Drainage Improvement Agreement DG04-00051 (cross-reference subdivision SD80-06013), for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

WHEREAS the Public Works Director, having recommended that she be authorized to execute the second agreement extension, which extends the Drainage Improvement Agreement between SDC Delta Coves, LLC, a Delaware Limited Liability Company, and the County for construction of certain improvements in DG04-00051, Bethel Island area, through January 8, 2017;

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 95%

ANTICIPATED DATE OF COMPLETION: December 2016

BOND NO.: 1075680

DATE: October 19, 2012

REASON FOR EXTENSION: Project was in bankruptcy. Work has since continued.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

Contact: Jocelyn A. B. LaRocque 925-313-2315

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

cc: J. A.B. LaRocque - Engineering Services , Design/Construction Division, Current Planning - DCD, SDC Delta Coves, LLC, c/o Argent Mgmt., LLC, 2392 Morse Ave. Irvine, CA 92614, Lexon Insurance Company, 12890 Lebanon Road, Mt. Juliet, TN 37122, T – 11-9-16

CONTRA COSTA COUNTY

DRAINAGE IMPROVEMENT AGREEMENT EXTENSION

Development Number: DG04-00051

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Company

BOND No. 1075680

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 3,175.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 1,263,000.00 (Performance)

\$ 634,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s) Bruce Cook, Authorized Signer

By: _____

Printed _____

RECOMMENDED FOR APPROVAL:

Developer's Signature(s) _____

By: _____

Printed _____

(Engineering Services Division)

Address _____

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

Surety or Financial Institution _____

Address _____

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Attorney in Facts Signature _____

Printed _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

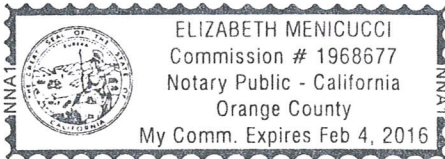
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)
On November 19, 2015 before me, Elizabeth Menicucci, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Bruce Cook
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 Elizabeth Menicucci
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

CONTRA COSTA COUNTY

DRAINAGE IMPROVEMENT AGREEMENT EXTENSION

Development Number: DG04-00051

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Company

BOND No. 1075680

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 3,175.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 1,263,000.00 (Performance)

\$ 634,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s)

Bruce Cook, Authorized Signatory

Printed

By: _____

Developer's Signature(s)

RECOMMENDED FOR APPROVAL:

Printed

By: _____
(Engineering Services Division)

Address

Lexon Insurance Company

Surety or Financial Institution

12890 Lebanon Rd., Mt. Juliet, TN 37122

Address

(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

Shane Wolf

Attorney in Facts Signature

Shane Wolf, Attorney-in-Fact

Printed

ALL- PURPOSE CERTIFICATE OF 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 Orange }

On December 16, 2015 before me, Susan E. Morales, Notary Public
(Here insert name and title of the officer)

personally appeared Shane Wolf
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.

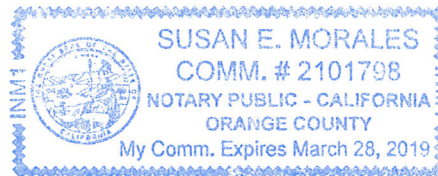
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Susan E. Morales

Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bond - Agreement Extension

(Title or description of attached document)

Lexon Insurance Company

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/16/15

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☒ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- 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 with a staple.

POWER OF ATTORNEY

LX-234667

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this _____ Day of _____, 20 DEC. 16 2015



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works
Date: January 19, 2016

Subject: Approve the second extension of Subdivision Agreement for subdivision SD80-06013, Bethel Island area.

RECOMMENDATION(S):

ADOPT Resolution No. 2016/29 approving the second extension of Subdivision Agreement for subdivision SD80-06013, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The terminal date of the Subdivision Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 95% of the work has been completed to-date.) By granting an extension, the County will give the developer more time to complete the improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Subdivision Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed, or revert the development to acreage.



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: 01/19/2016



APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Stacey M. Boyd, Deputy

Contact: J. LaRocque (925)313-2315

ATTACHMENTS

Resolution No. 2016/29

Second Extension & Bond

Recorded at the request of: BOARD OF SUPERVISORS

Return To: Public Works, 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 01/19/2016 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

NO: ☐

ABSENT: Mary N. Piepho, District III Supervisor

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2016/29

IN THE MATTER OF approving the second extension of Subdivision Agreement for subdivision SD80-06013, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

WHEREAS, the Public Works Director, having recommended that she be authorized to execute the second agreement extension, which extends the Subdivision Agreement between SDC Delta Coves, LLC, a Delaware Limited Liability Company and the County for construction of certain improvements in subdivision SD80-06013, Bethel Island area, through January 8, 2017:

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 95%

ANTICIPATED DATE OF COMPLETION: December 2016

BOND NO.: 1075689

DATE: October 19, 2012

REASON FOR EXTENSION: Project was in bankruptcy. Work has since continued.

NOW, THEREFORE, LET IT BE RESOLVED that the recommendation of the Public Works Director is APPROVED.

Contact: J. LaRocque (925)313-2315

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

cc: J. A.B. LaRocque - Engineering Services , Design/Construction, Current Planning - DCD, T - 11-9-16, SDC Delta Coves, LLC, c/o Argent Mgmt., LLC, 2392 Morse Ave. Irvine, CA 92614, Lexon Insurance Co. 12890 Lebanon Rd Mt Juliet TN 37122

CONTRA COSTA COUNTY
SUBDIVISION AGREEMENT EXTENSION

Development Number: SD80-06013

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Company

BOND No. 1975689

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 3,850.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 1,528,000.00 (Performance)

\$ 766,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s)

Printed

By: _____

Developer's Signature(s)

Printed

RECOMMENDED FOR APPROVAL:

By: _____
(Engineering Services Division)

Address

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

Surety or Financial Institution

Address

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Attorney in Facts Signature

Printed

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

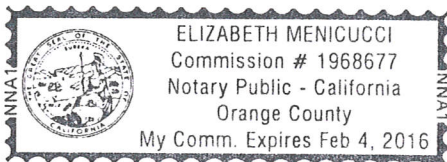
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)
On November 19, 2015 before me, Elizabeth Menicucci, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Bruce Cook
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 Elizabeth Menicucci
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

CONTRA COSTA COUNTY
SUBDIVISION AGREEMENT EXTENSION

Development Number: SD80-06013

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Company

BOND No. 1975689

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 3,850.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 1,528,000.00 (Performance)

\$ 766,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s) Bruce Cook, Anthony Smith

By: _____

Printed

Developer's Signature(s)

RECOMMENDED FOR APPROVAL:

Printed

By: _____
(Engineering Services Division)

Address

Lexon Insurance Company

Surety or Financial Institution

12890 Lebanon Rd., Mt. Juliet, TN 37122

Address

(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

Shane Wolf
Attorney in Facts Signature

Shane Wolf, Attorney-in-Fact

Printed

ALL- PURPOSE CERTIFICATE OF 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 Orange }

On December 16, 2015 before me, Susan E. Morales, Notary Public
(Here insert name and title of the officer)

personally appeared Shane Wolf
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.

Susan E. Morales
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bond - Agreement Extension

(Title or description of attached document)

Lexon Insurance Company

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/16/15

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☒ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- 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 with a staple.

POWER OF ATTORNEY

LX-239153

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this _____ Day of _____, 20 DEC 16 2015



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 19, 2016

Subject: Approve the second extension of Road Improvement Agreement RA04-01179, Bethel Island area.

RECOMMENDATION(S):

ADOPT Resolution No. 2016/19 approving the second extension of Road Improvement Agreement RA04-01179 (cross-reference subdivision SD80-06013), for Navigator's Place, Halcyon Place, and Isle Place, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The terminal date of the Road Improvement Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 95% of the work has been completed to-date.) By granting an extension, the County will give the developer more time to complete the improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of Road Improvement Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Jocelyn A. B. LaRocque,
925-313-2315

ATTACHMENTS

Resolution No. 2016/19

Second Extension & Bond

Recorded at the request of: BOARD OF SUPERVISORS

Return To: PUBLIC WORKS DEPARTMENT, ENGINEERING SERVICES DIVISION

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

Adopted this Resolution on 01/19/2016 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover,
District V Supervisor

NO: ☐

ABSENT: Mary N. Piepho, District III Supervisor

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2016/19

IN THE MATTER OF approving the second extension of Road Improvement Agreement RA04-01179 (cross-reference subdivision SD80-06013), for Navigator's Place, Halcyon Place, and Isle Place, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

WHEREAS the Public Works Director, having recommended that she be authorized to execute the second agreement extension, which extends the Road Improvement Agreement between SDC Delta Coves, LLC, a Delaware Limited Liability Company and the County for construction of certain improvements in RA04-01179 (cross-reference subdivision SD80-06013), Bethel Island area, through January 8, 2017;

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 95%

ANTICIPATED DATE OF COMPLETION: December 2016

BOND NO.: 1075681

DATE: October 19, 2012

REASON FOR EXTENSION: Project was in bankruptcy. Work has since continued.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

Contact: Jocelyn A. B. LaRocque, 925-313-2315

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

cc: J. A.B. LaRocque - Engineering Services , Design/Construction, Current Planning - DCD, T - 11-9-16, SDC Delta Coves, LLC, c/o Argent Mgmt., LLC, 2392 Morse Ave. Irvine, CA 92614, Lexon Insurance Co. 12890 Lebanon Rd Mt Juliet TN 37122

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01179

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075681

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 280,000.00(Performance)

\$ 140,000.00(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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s)

Printed

By: _____

Developer's Signature(s)

Printed

RECOMMENDED FOR APPROVAL:

By: _____
(Engineering Services Division)

Address

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

Surety or Financial Institution

Address

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Attorney in Facts Signature

Printed

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

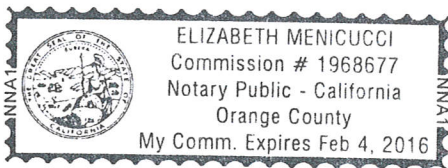
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)
On November 19, 2015 before me, Elizabeth Menicucci, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Bruce Cook
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 Elizabeth Menicucci
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01179

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075681

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 280,000.00(Performance)

\$ 140,000.00(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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s)
Bruce Cook, Andrew Sigmund

By: _____

Printed

Developer's Signature(s)

RECOMMENDED FOR APPROVAL:

Printed

By: _____
(Engineering Services Division)

Address

Lexon Insurance Company

Surety or Financial Institution

12890 Lebanon Rd., Mt. Juliet, TN 37122

Address

(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

Shane Wolf

Attorney in Facts Signature

Shane Wolf, Attorney-in-Fact

Printed

ALL- PURPOSE CERTIFICATE OF 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 Orange }

On December 16, 2015 before me, Susan E. Morales, Notary Public,
(Here insert name and title of the officer)

personally appeared Shane Wolf,
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.

Susan E. Morales

Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bond - Agreement Extension

(Title or description of attached document)

Lexon Insurance Company

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/16/15

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☒ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- 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 with a staple.

POWER OF ATTORNEY

LX-234668

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
Mv Commission Expires 01-09-16

BY

Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this _____ Day of _____, 20 DEC. 16 2015



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 19, 2016

Subject: Approve the second extension of Road Improvement Agreement RA04-01182, Bethel Island area.

RECOMMENDATION(S):

ADOPT Resolution No. 2016/24 approving the second extension of Road Improvement Agreement RA04-01182 (cross-reference subdivision SD80-06013), for Channel Place and Point Place, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The terminal date of the Road Improvement Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 95% of the work has been completed to-date.) By granting an extension, the County will give the developer more time to complete the improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Road Improvement Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016**

☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Jocelyn A. B. LaRocque,
925-313-2315

ATTACHMENTS

Resolution No. 2016/24

Second Extension & Bond

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 01/19/2016 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover,
District V Supervisor

NO: ☐

ABSENT: Mary N. Piepho, District III Supervisor

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2016/24

IN THE MATTER OF approving the second extension of Road Improvement Agreement RA04-01182 (cross-reference subdivision SD80-06013), for Channel Place and Point Place, for a project being developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

WHEREAS, the Public Works Director, having recommended that she be authorized to execute the second agreement extension, which extends the Road Improvement Agreement between SDC Delta Coves, LLC, a Delaware Limited Liability Company and the County for construction of certain improvements in RA04-01182, Bethel Island area, through January 8, 2017:

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 95%

ANTICIPATED DATE OF COMPLETION: December 2016

BOND NO.: 1075684

DATE: October 19, 2012

REASON FOR EXTENSION: Project was in bankruptcy. Work has since continued.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

Contact: Jocelyn A. B. LaRocque, 925-313-2315

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

cc: J. A.B. LaRocque - Engineering Services , Design/Construction, Current Planning - DCD, T - 11-9-16, SDC Delta Coves, LLC, c/o Argent Mgmt., LLC, 2392 Morse Ave. Irvine, CA 92614, Lexon Insurance Co. 12890 Lebanon Rd Mt Juliet TN 37122

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01182

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075684

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 230,000.00 (Performance)

\$ 115,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s)

Bruce Cook, Andrew S. S. S. S. S.

Printed

By: _____

Developer's Signature(s)

Printed

RECOMMENDED FOR APPROVAL:

By: _____

(Engineering Services Division)

Address

Surety or Financial Institution

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

Address

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Attorney in Facts Signature

Printed

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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.

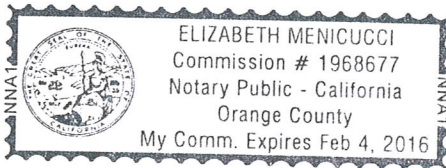
State of California)

County of Orange)On November 19, 2015 before me, Elizabeth Menicucci, Notary Public
Date Here Insert Name and Title of the Officerpersonally appeared Bruce Cook
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 Elizabeth Menicucci
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA04-01182

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Second Extension New Termination Date: January 8, 2017

Improvement Security

SURETY : Lexon Insurance Company

BOND No. 1075684

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 1,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 230,000.00 (Performance)

\$ 115,000.00 (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: _____

Dated: November 19, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

Developer's Signature(s) Bull

By: _____

Printed Bruce Cook, Arthur Signatory

RECOMMENDED FOR APPROVAL:

Developer's Signature(s) _____

By: _____
(Engineering Services Division)

Printed _____

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

Address _____

Lexon Insurance Company

Surety or Financial Institution

12890 Lebanon Rd., Mt. Juliet, TN 37122

Address _____

FORM APPROVED Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Attorney in Facts Signature Shane Wolf

Shane Wolf, Attorney-in-Fact

Printed _____

ALL-PURPOSE CERTIFICATE OF 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 Orange }

On December 16, 2015 before me, Susan E. Morales, Notary Public
(Here insert name and title of the officer)

personally appeared Shane Wolf
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.

Susan E. Morales

Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bond - Agreement Extension

(Title or description of attached document)

Lexon Insurance Company

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/16/15

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☒ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- 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 with a staple.

POWER OF ATTORNEY

LX-234671

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this _____ Day of _____, 20 **DEC 16 2015**



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."



**Contra
Costa
County**

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: January 19, 2016

Subject: Approve and Authorize First Amendment to Lease with Excelsior J D CO, LLC, Pacheco Area (District IV)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute, on behalf of the County, a lease amendment modifying the lease between the County, as Lessor, and Excelsior J D CO, LLC, as Tenant, for the lease of property located at 2301 Meridian Park Boulevard.

FISCAL IMPACT:

The lease amendment provides a rent credit of \$1,810 for 24 months (for a total of \$43,440) to compensate the tenant for a portion of the improvements made to the building.

BACKGROUND:

The County originally entered into a lease with Caffino Express, LLC in 2010 for the purposes of operating and maintaining a drive-through and walk-up gourmet coffee/espresso business. In 2015, the lease was assigned to Excelsior J D CO, LLC, dba Java DeTour.

Excelsior J D CO, LLC has made substantial improvements (over \$75,000) to the building since the lease was assigned to them; this building will

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc:

BACKGROUND: (CONT'D)

revert to the County at the end of the term. Excelsior J D CO, LLC also acquired three other coffee kiosks in the region and all have substantially lower monthly rent than the property at the Buchanan Field Airport. The high rent coupled with the high improvement costs have made the property economically challenging.

In order to compensate Excelsior J D CO, LLC, for a portion of the building improvements, the lease is being amended to create a monthly rent credit equal to \$1,810 per month for 24 months, for a total credit amount of \$43,440. As the original lease term would end in February 2018, this lease amendment also exercises the first lease extension period to extend the term until 2023 as permitted under the lease.

The lease amendment will permit a continuation of desired commercial gourmet coffee/espresso services at the Buchanan Field Airport. This use is consistent with the policies identified within the Buchanan Field Airport Master Plan. Further, the Lease will provide rental and sales tax revenue to the Airport Enterprise Fund and County General Fund.

CONSEQUENCE OF NEGATIVE ACTION:

Not granting the modified terms could result in Excelsior J D CO, LLC not exercising the first lease extension period and the lease could terminate in February 2018.

ATTACHMENTS

ExJD/Contra Costa Lease Amendment

**FIRST AMENDMENT TO
LEASE BETWEEN CONTRA COSTA COUNTY
AND
EXCELSIOR J D CO, LLC**

This First Amendment to Lease (the **"First Amendment"**) is dated February 1, 2016, and is between the COUNTY OF CONTRA COSTA, a political subdivision of the State of California (**"Lessor"**), and EXCELSIOR J D Co, LLC, a California limited liability company (**"Tenant"**).

Recitals

A. Lessor and Tenant are parties to a lease dated October 1, 2010, under which Tenant is leasing from Lessor land located at Buchanan Field Airport commonly known as 2301 Meridian Park Boulevard (the **"Lease"**).

B. In 2015, Tenant made approximately \$80,420 in capital improvements to the building that is located on the Premises (as defined in the Lease).

C. In consideration for the improvements to the building made by Tenant, the parties desire to amend the Lease to modify the term of the Lease and the rent payable during the term.

The parties therefore agree as follows:

Agreement

1. Section 3. Term is deleted in its entirety and replaced with the following:

- A. The **"Term"** of this lease is comprised of an initial term and, with the concurrence of the Director of Airports, an extension term. The initial term is thirteen (13) years, commencing February 23, 2010, (the **"Commencement Date"**), and ending February 28, 2023.
- B. Optional Extension: Tenant has one (1) option to extend this lease for a term of five (5) years (upon all the terms, covenants and conditions set forth herein, provided (i) Tenant is not in default beyond any applicable cure period as of the commencement of the Extension Period, and (ii) Tenant is not in default on the day an Extension Request, as defined below, is given.

No earlier than February 1, 2021, and no later than February 1, 2022, Tenant may request that this lease be extended for five (5) years (the **"Extension Period"**) by giving the County written notice of its desire to

extend the Term (an "Extension Request"). The Extension Request will be deemed received by the County upon the Director of Airport's execution of an acknowledgment of receipt of the Extension Request. The Director of Airports, in his or her sole discretion may, but is not required to, approve the Extension Request, which will not be unreasonably withheld. The Director of Airports will respond in writing to Tenant within sixty (60) days after receipt of the Extension Request. Failure of the Director of Airports to respond in writing within sixty (60) days constitutes a denial of the Extension Request.

Failure to deliver an Extension Request within the timeframe set forth above constitutes a waiver of Tenant's right to request an extension.

Upon commencement of the Extension Period, all references to the Term of this lease will be deemed to mean the Term as extended pursuant to this Section.

1. Section 5. Rent is deleted in its entirety and replaced with the following:

Tenant shall pay rent to Lessor without offset or demand on or before the first day of each month. Rent for any partial month will be prorated at the rate of 1/30th of the applicable monthly rent per day.

A. Rent:

<u>Beginning</u>	<u>Monthly Rent</u>
February 1, 2010	\$3,528.30
February 1, 2011	\$3,750.00
February 1, 2012	\$3,970.00
February 1, 2013	\$4,190.00
February 1, 2014	\$4,410.00
February 1, 2016	\$2,600.00
February 1, 2017	\$2,600.00
February 1, 2018	\$3,600.00
February 1, 2019	\$3,800.00
February 1, 2020	\$4,000.00

- B. Adjustment to Rent: Beginning February 1, 2021, and annually on each February 1 thereafter throughout the Term and any hold over period, Lessor, without prior notice to Tenant, may revise the rent then in effect based on the CPI Factor, as defined below. Any such adjustment may not increase rent by more than five percent (5%) per annum. The CPI Factor may not be applied to reduce rent below the then existing rent. If there is a decrease in the CPI, rent for the year in question will be the same as rent for the preceding year.

The "**CPI Factor**" means the percentage by which the "Index" (as defined below) as of any adjustment date has increased over the Index in effect as of the immediately preceding adjustment date, calculated to the nearest one-tenth of one percent. The term "**Index**" means the Consumer Price Index, all Urban Consumers and San Francisco, Oakland, San Jose, CPI Index. All Items (1982-84 = 100), published by the United States Department of Labor, Bureau of Labor statistics, or any successor or substitute index published as a replacement for that Index by said Department or by any other United States governmental agency.

Lessor will notify Tenant of any increase in monthly rent when Lessor completes the calculation of increased rent. If such notice is given after the effective date of the increase, Tenant will pay any increased monthly rent retroactively to the effective date of the increase.

[Remainder of Page Intentionally Left Blank]

2. Miscellaneous. This First Amendment constitutes the entire agreement between the parties hereto relating to the subject matter hereof. Except for the amendments agreed to herein, the Lease remains in full force and effect.

The parties are executing this First Amendment as of the date first set forth above.

LESSOR

CONTRA COSTA COUNTY,
a political subdivision of
the State of California

By: _____
Keith Freitas
Director of Airports

TENANT

Excelsior J D Co, LLC, a
California limited liability company

By:  _____
Mark Naify
President

RECOMMENDED FOR APPROVAL:

By: _____
Beth Lee
Assistant Director of Airports

By: _____
Karen Laws
Principal Real Property Agent

APPROVED AS TO FORM:

Sharon L. Anderson,
County Counsel

By: _____
Kathleen Andrus,
Deputy County Counsel



**Contra
Costa
County**

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: January 19, 2016

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 Charles Luther for a Shade-hangar at Buchanan Field Airport effective January 7, 2016 in the monthly amount of \$177.07, Pacheco area.

FISCAL IMPACT:

The Airport Enterprise Fund will realize \$2,124.84 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.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc: Robert Campbell, County Auditor-Controller

BACKGROUND: (CONT'D)

>

On February 13, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar 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.

ATTACHMENTS

Charles Luther Hangar Agreement

CONTRA COSTA COUNTY - BUCHANAN FIELD AIRPORT

T-HANGAR AND SHADE HANGAR RENTAL AGREEMENT

1. **PARTIES:** January 7, 2016 ("Effective Date"), the COUNTY OF CONTRA COSTA, a political subdivision of the State of California ("**Airport**"), and **Charles Luther** ("**Renter**"), hereby mutually agree and promise as follows:
2. **RENTER AND AIRCRAFT INFORMATION:** Simultaneous with the execution of this T-Hangar and Shade Hangar Rental Agreement ("**Rental Agreement**") by Renter, Renter shall complete the Renter and Aircraft Information Form. A completed copy of the Renter and Aircraft Information Form is attached hereto as Exhibit "A" and incorporated herein. Renter must also provide to Airport at that time, for inspection and copying, (1) the original current Aircraft Registration or, if the aircraft described in Exhibit A is under construction, the plans for and proof of ownership of such aircraft; and (2) the insurance information required by Section 16 below.
3. **PURPOSE:** The purpose of this Rental Agreement is to provide for the rental of a T-Hangar or Shade Hangar space at the Contra Costa County - Buchanan Field Airport for the storage of the aircraft described in the Renter and Aircraft Information Form ("**Renter's Aircraft**").
4. **PREMISES:** For and in consideration of the rents and faithful performance by Renter of the terms and conditions set forth herein, Airport hereby rents to Renter and Renter hereby rents from Airport that T-Hangar or Shade Hangar shown as # **B-17** 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 7, 2016**, 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 \$ **177.07** 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: Blackhawk GHAD Board of Directors
From: Patricia E. Curtin, GHAD Attorney and General Manager
Date: January 19, 2016

Subject: Claim submitted by Bronco Don Holdings, LLC and its members against the Blackhawk GHAD

RECOMMENDATION(S):

DENY claim submitted by Bronco Don Holdings, LLC ("BDH") and its members against the GHAD for \$118,728 seeking alleged damage to the claimant's building at 3800 Blackhawk Road.

FISCAL IMPACT:

none

BACKGROUND:

On September 23, 2014, the Blackhawk Geologic Hazard Abatement District (GHAD) commenced work on a slope stabilization project (project) on the common area hillside owned by the Blackhawk Executive Center Association (BECA). The BECA property is located on the northwest corner of the intersection of Camino Tassajara and Crow Canyon Road, Danville. The property is within the boundaries of the GHAD. The project was constructed above 3800 Blackhawk Road, a separate parcel, located within BECA on the northeast portion of the development. The property at 3800 Blackhawk Road is a one story commercial building, as are the other 4 buildings comprising BECA. The project was primarily comprised of the installation of a drilled subterranean structural reinforced concrete wall with drilled tieback anchors. The project was completed on November 21, 2014.

On October 30, 2014 the GHAD Manager was contacted by BDH, the owners of 3800 Blackhawk Road, and notified that an occupant within the building complained of experiencing vibrations as a result of vibratory soil compaction operations conducted by the GHAD contractor. The building owners reported building distress in the form of concrete floor settlement and cracks in adjacent interior partition walls.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stephanie L. Mello, Deputy

Contact: anagha dandekar cliffard
510-622-7551

cc:

BACKGROUND: (CONT'D)

In response, the GHAD Manager arranged a site meeting on October 31, 2014 to observe the claimed damage to the building. The GHAD also retained the services of Dr. Sands Figeurs, Professional Geophysicist of Norfleet Consultants to conduct a vibration monitoring study, including the installation of monitoring instrumentation on or near the building. The study determined that any vibrations associated with the GHAD's project were insufficient to cause damage to the claimant's building.

The GHAD also retained geotechnical engineer Phil Gregory of Cal Engineering & Geology (CE&G), the designer of the GHAD project, and Kent Sasaki of Wiss, Janney, Elster Associates (WJE), a structural engineer, to inspect the site and investigate the claim. Following their investigations, Mr. Gregory and Mr. Sasaki have concluded that the GHAD repair operations did not cause any damage to the claimant's building.

On December 15, 2015, the GHAD received a claim from the Bronco Don Holdings, LLC, owners of 3800 Blackhawk Road, presenting a damages claim against the GHAD for \$118,728.00

ATTACHMENTS

Blackhawk GHAD board agenda

**BLACKHAWK GEOLOGIC HAZARD ABATEMENT DISTRICT
BOARD OF DIRECTORS**

**BOARD CHAMBERS ROOM 107, ADMINISTRATION BUILDING,
651 PINE STREET, MARTINEZ, CALIFORNIA 94553-1229**

**CANDACE ANDERSEN, CHAIR
MARY PIEPHO, VICE-CHAIR
FEDERAL D. GLOVER, BOARD DIRECTOR
KAREN MITCHOFF, BOARD DIRECTOR
JOHN GIOIA, BOARD DIRECTOR**

**AGENDA
JANUARY 19, 2016**

Geologic Hazard Abatement District (GHAD) Board of Directors for Blackhawk

Time

9:00a.m. Consent Item:

1. Blackhawk GHAD Board of Directors:

SUBJECT: Deny claim by Bronco Don Holdings, LLC and its members against the GHAD for \$118,728 seeking alleged damage to its building at 3800 Blackhawk Road.



**Contra
Costa
County**

To: Wiedemann Ranch GHAD Board of Directors
From: Patricia E. Curtin, GHAD Attorney and General Manager
Date: January 19, 2016

Subject: Accept Petition for Annexation for the Podva Property Development to the Wiedemann Ranch GHAD

RECOMMENDATION(S):

1. ACCEPT Petition for Annexation of the Podva Property development into the existing Wiedemann Ranch Geologic Hazard Abatement District ("GHAD");
2. ACCEPT the draft Podva Property Development Annexation Plan of Control (January 7, 2016);
3. ADOPT the attached Resolution No. 2016/01 to do the following:
 - (a) FIX a Public Hearing for March 22, 2016 at 9:00 a.m. in Room 107 of the GHAD Board Chambers, 651 Pine Street, Martinez, California to consider the proposed annexation of territory into the existing Wiedemann Ranch GHAD and the proposed Podva Property Development Annexation Plan of Control, and hear any written objections thereto; and
 - (b) DIRECT the Wiedemann Ranch GHAD Clerk, or their designee, to mail, by first class mail, a written notice of the hearing to consider the proposed annexation and the proposed Podva Property Development Annexation Plan of Control to each owner of real property as required by GHAD law.

FISCAL IMPACT:

The GHAD is funded 100% through assessments levied on properties within the GHAD. Therefore, there is no impact on the County General Fund.



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016**



APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE:

John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT:

Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stephanie L. Mello, Deputy

Contact: Anagha Dandekar Clifford
510-622-7551

cc:

BACKGROUND:

On September 1, 1998, the Contra Costa County Board of Supervisors adopted Resolution No. 98/438 approving the formation of the Wiedemann Ranch Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors.

On April 11, 2000, the Wiedemann Ranch GHAD Board of Directors adopted Resolution Nos. 2000/166 and 2000/167 approving annexation of the Henry Ranch development (Subdivision 8118) in San Ramon into the Wiedemann Ranch GHAD.

On July 29, 2014, the Wiedemann Ranch GHAD Board of Directors adopted Resolution 2014/03 approving annexation of the Elworthy Ranch development (Subdivision 9009) in the Town of Danville into the Wiedemann Ranch GHAD.

The Podva Property development (Subdivision 9309) is located at the western terminus of Midland Way in the Town of Danville. Twenty single family homes along with appurtenant improvements are planned for the development. Due to the potential for geologic hazards and related required ongoing maintenance, the Conditions of Approval for the Podva Property development, require that it be included within a GHAD. To satisfy this requirement, the developer of the Podva Property development has elected to petition the GHAD Board to annex the Podva Property development into the existing Wiedemann Ranch GHAD. The territory to be annexed pursuant to the Petition for Annexation is currently owned by the developer. The boundaries of the territory to be annexed and the boundaries of the Podva property development are the same.

In connection with the proposed annexation, a proposed Plan of Control has been prepared. The Plan of Control is separate from the Wiedemann Ranch Plan of Control and describes the work contemplated for the Podva Property development, including maintenance and monitoring activities, including slopes, retaining walls, subdrains, storm drain facilities, and concrete lined drainage ditches. If adopted, the Podva Property Development Annexation Plan of Control would address geologic hazards within Subdivision 9309.

Funding for the GHAD activity on the proposed annexed area to prevent, mitigate, abate and control geologic hazards will be based on an assessment, and such funds will be collected and used in connection with the Podva Property Development Annexation Plan of Control. The proposed assessment is supported by a detailed Engineer's Report prepared by a registered professional engineer certified by the State of California, and will be considered at a subsequent date in accordance with Proposition 218. The proposed assessment does not impact or change the existing assessments for the current landowners in the GHAD.

The Manager of the Wiedemann Ranch GHAD recommends that the GHAD Petition be accepted and a hearing be ordered for March 22, 2016 to consider the annexation request.

CONSEQUENCE OF NEGATIVE ACTION:

The owners of the Podva Property development will have to form a new Geologic Hazard Abatement District or seek annexation into another Geologic Hazard Abatement District to satisfy Town of Danville Condition of Approval No. 25 for Subdivision 9309.

ATTACHMENTS

Wiedemann Resolution

Agenda Wiedemann

Powerpoint ENGEO

Wiedemann Petition of Annexation

**THE BOARD OF DIRECTORS OF WIEDEMANN RANCH GEOLOGIC
HAZARD ABATEMENT DISTRICT**

Adopted this Resolution on January 19, 2016 by the following vote:

AYES: **Mary N. Piepho, Karen Mitchoff, Candace Andersen, Federal D. Glover,
John Gioia**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

RESOLUTION NO. 2016/01 (WIEDEMANN RANCH GHAD)

SUBJECT: Resolution No. 2016/01 accepting petition and setting a hearing for March 22, 2016, at 9:00 a.m. to annex the Podva property development into the existing Wiedemann Ranch Geologic Hazard Abatement District.

WHEREAS, on September 1, 1998, the Contra Costa County Board of Supervisors adopted Resolution 98/438 approving the formation of the Wiedemann Ranch Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors.

WHEREAS, the GHAD Board is now presented with and has reviewed the Petition for Annexation of Territory to the Wiedemann Ranch GHAD ("GHAD Petition"), which is attached hereto as Attachment 1. The territory proposed to be annexed into the GHAD is described in the legal description and identified in the boundary map set forth in Exhibit A to Attachment 1.

WHEREAS, the GHAD Board is now presented with and has reviewed the draft Podva Property Development Annexation Plan of Control (dated January 7, 2016), which is contained in Exhibit B of Attachment 1. The draft Plan of Control describes potential geologic hazards within the territory to be annexed and addressed the prevention, mitigation, abatement and control of such hazards.

The Board of Directors of the GHAD HEREBY RESOLVES THAT:

1. This Resolution No. 2016/01 is made pursuant to the provisions of Division 17 of the Public Resources Code with particular references to Chapter 1 (commencing with Section 26500), Article 3 (commencing with Section 26550) and Article 4 (commencing with Section 26561).

2. The GHAD Petition is substantially in the form described in Sections 26552 of the Public Resources Code; and the draft Podva Property Development Annexation Plan of Control is substantially in the form described in Section 26509 of the Public Resources Code.

3. These proceedings are exempt from the provisions of the California Environmental Quality Act (Pub. Res. Code §§ 2100 et seq.) in accordance with Public Resources Code section 21080(b)(4).

4. The GHAD Board has been presented with and reviewed the draft Podva Property Development Annexation Plan of Control and has determined that the health, safety and welfare of the public requires annexation of the proposed territory into the Wiedemann Ranch GHAD.

5. A public hearing on the GHAD Petition and proposed annexation will be held on March 22, 2016 at 9:00 a.m. in the chambers of the GHAD Board, at 651 Pine Street in Martinez.

6. The GHAD Clerk, or designee, shall mail, by first class mail, a written notice of the hearing on the annexation, along with a copy of the GHAD Petition, to all owners of real property within the proposed district pursuant to Public Resources Code Section 26561, 26562 and 26563 to consider the proposed annexation and the proposed Elworthy Ranch Development Annexation Plan of Control. This notice must be mailed at least twenty (20) days preceding the March 22, 2016 hearing date.

7. The recitals are incorporated herein by this reference.

This Resolution shall become effective immediately upon its passage and adoption.

Attachment 1 – Petition for Annexation

**WIEDEMANN RANCH GEOLOGIC HAZARD ABATEMENT DISTRICT
BOARD OF DIRECTORS**

**BOARD CHAMBERS ROOM 107, ADMINISTRATION BUILDING,
651 PINE STREET, MARTINEZ, CALIFORNIA 94553-1229**

**CANDACE ANDERSEN, CHAIR
MARY PIEPHO, VICE-CHAIR
FEDERAL D. GLOVER, BOARD DIRECTOR
KAREN MITCHOFF, BOARD DIRECTOR
JOHN GIOIA, BOARD DIRECTOR**

**AGENDA
JANUARY 19, 2016**

Geologic Hazard Abatement District (GHAD) Board of Directors for Wiedemann Ranch.

Time

9:00a.m. Consent Item:

1. Wiedemann Ranch GHAD Board of Directors:

SUBJECT: ACCEPT Petition for Annexation of the Podva Property Development into the existing Wiedemann Ranch GHAD; ACCEPT draft Podva Property Development Annexation Plan of Control (January 7, 2016); ADOPT Wiedemann Ranch GHAD Resolution No. 2016/01 to FIX a public hearing for March 22, 2016 to consider the proposed annexation of territory into the existing Wiedemann Ranch GHAD and the proposed Podva Property Development Annexation Plan of Control, and hear any written objection thereto; and DIRECT the Wiedemann Ranch GHAD Clerk, or their designee, to mail, by first class mail, a written notice of the hearing to consider the proposed annexation and the proposed Podva Property Development Annexation Plan of Control to each owner of real property as required by GHAD law.

WIEDEMANN RANCH GEOLOGIC HAZARD
ABATEMENT DISTRICT (GHAD)

PLAN OF CONTROL
PODVA PROPERTY DEVELOPMENT ANNEXATION



ENGEO

Expect Excellence

Submitted to
Ponderosa Homes II, Inc.
Pleasanton, California

Prepared by
ENGEO Incorporated

June 18, 2015
Revised January 7, 2016

Project No.
9160.000.001

Project No.
9160.000.001

June 18, 2015
Revised January 7, 2016

Mr. Jeffrey C. Schroeder
Ponderosa Homes II, Inc.
6671 Owens Drive
Pleasanton, CA 94588

Subject: Podva Property
Danville, California

PLAN OF CONTROL


Dear Mr. Schroeder:

Attached is the proposed Plan of Control to support annexation of the Podva Property into the Wiedemann Ranch Geologic Hazard Abatement District (GHAD). The proposed Plan of Control is intended to reflect the annexation of the Podva Property into the Wiedemann Ranch GHAD. This annexation satisfies portions of Condition of Approval No. 5, related to GHAD formation.

If you have any questions or would like any additional information, please do not hesitate to contact us.

Sincerely,

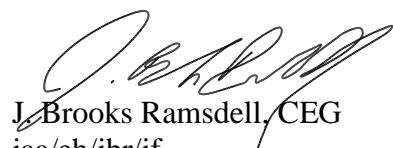
ENGEO Incorporated



Jeffrey A. Adams, PhD, PE



Eric Harrell, CEG



J. Brooks Ramsdell, CEG
jaa/eh/jbr/jf

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FIGURE 1 – Corrective Grading Plan

EXHIBIT A – Podva Property, Legal Description for Subdivision 9309 with Plat

EXHIBIT B – Podva Property, Site Geology

EXHIBIT C – Podva Property, Funding and Acceptance

1.0 INTRODUCTION

Under the Condition of Approval No. 5 (Subdivision 9309), the Town of Danville has required establishment of a GHAD or annexation into an existing GHAD for the Podva Property. To satisfy this requirement, the developer of the Podva Property has petitioned the Board of Directors of the Wiedemann Ranch GHAD to annex the Podva Property into the existing Wiedemann Ranch GHAD (“GHAD”).

1.1 PROPERTY IDENTIFICATION, OWNERSHIP AND MAINTENANCE RESPONSIBILITIES

A written description of the properties to be annexed into the existing GHAD is provided in Exhibit A and shown graphically on the plat to accompany the legal description. The GHAD annexation area includes 20 proposed residential parcels and one open space parcel (Parcel “A”, 17,778 sf) that will serve as a bio-retention area and open space Parcel “B” at approximately 4 acres within Subdivision 9309 as shown on Figure 1.

2.0 PODVA PROPERTY PLAN OF CONTROL

2.1 GEOLOGIC HAZARDS

Geologic hazards identified for the Site in the ENGEO geotechnical report dated August 5, 2011, include the following items.

- Slope instability
- Seismically induced ground shaking
- Expansive soils

These geologic hazards are not expected to be eliminated entirely by site grading. Slope instability or potential slope instability is not unique to this project, but is of importance for hillside projects throughout the San Francisco Bay Area, such as Elworthy Ranch, Henry Ranch, and Norris Canyon Estates already within the Wiedemann Ranch GHAD. Future stability depends on various factors, including any introduction of natural or artificial groundwater, future grading and earthquake ground shaking.

2.1.1 Slope Instability – Podva Property

Areas of slope instability or landsliding located to the west of the residential development may affect the Podva Property during the life of the development. During mapping for the Podva Property geotechnical exploration, landslide debris fan deposits were mapped on Lot 5 and Parcel “B”. The corrective grading plan showing the location of the debris fan deposits included as Figure 1. Debris benches and intervening roadways are planned to mitigate the potential for landslide and earthflow/debris flow hazards originating on slopes west of the project from impacting the development.

A landslide is defined as a mass of rock, soil and other debris that has been displaced downslope by sliding, flowing or falling. Landslides include cohesive block slides and disrupted slumps that have formed by displacement along a planar slip surface or rotation (displacement along a curved slip surface). Undercutting and erosion of hillside slopes can trigger slope failures.

Slope failures are also triggered by increased pore water pressure due to the infiltration of rainwater. The resulting decrease of shear resistance (internal resistance to deformation by shearing) can cause the slope to move. The level of the groundwater table varies with the amount of rainfall for the area. If rainfall is higher than average during the winter season, the water table may be higher than average on a hillside and groundwater pressures may become high. Under these conditions, hillside movement can be activated.

Potential mitigation and repair measures for GHAD areas near improvements are discussed in later sections of this document.

2.1.2 Seismically Induced Ground Shaking

Previous fault investigation at the site (ENGEO, 2011) indicates that an active fault trace does not traverse the proposed residential development. However, geologic and fault zone maps indicate that queried potential fault traces may exist to the west of the residential development in the open space area outside of the GHAD boundary.

As identified in the referenced reports, an earthquake of moderate to high magnitude generated within the San Francisco Bay Region could cause considerable ground shaking at the Podva property, similar to that which has occurred in the past. Seismic slope stability has been considered in the geotechnical reports completed for the property; however, seismically generated slope failures could occur outside the grading limits within the Podva Property.

2.1.3 Expansive Soils

Surface and near-surface soils in the western portion of the Podva Property could exhibit a moderate to high potential for expansion. These potentially expansive soils could impact the planned site development. Expansive soils shrink and swell as a result of moisture change. This can cause heaving and cracking of slabs-on-grade, pavements and structures founded on shallow foundations. The potential for expansive soils has been identified in previous reports for the property. Shrink and swell of expansive soils on slopes contributes to creep movement, which can result in shallow slope instability.

2.2 SLOPE STABILITY CONSIDERATIONS DURING MASS GRADING

As recommended in the 2014 Geotechnical Exploration (ENGEO, 2014), the development of the eastern terraced area has been designed to avoid landslides on the western portion of the site by locating the proposed improvements on the stable and competent Miocene bedrock. In addition, recommendations have been made to provide the development with protection from soil

sloughing and earthflows originating on the slopes to the west by including debris benches or by situating trails or roadways between slopes and structural improvements. Planned debris benches or trails consist of a minimum 15-foot-wide near-level bench located between the rear or side yard and the adjacent slopes. Subdrains are proposed to be installed to collect subsurface waters as shown on the Corrective Grading Plan (Figure 1).

2.3 GHAD-MAINTAINED IMPROVEMENTS AND OPEN SPACE AREAS

Conditions of Approval (COA) Numbers 2, 4, 5, 8, and 14 address parcel ownership and GHAD maintenance responsibilities.

COA No. 14 (Site Planning) – *The responsibility to maintain the existing trash rack located to the south of proposed Lot 4 shall be transferred either to the Geologic Hazard Abatement District (GHAD), the project’s homeowner’s association (HOA), or similar instrument found to be acceptable by the Town upon recordation of the initial final map recorded for the property. The area to the south of Lot 4 shall be configured to the satisfaction of the Engineering Division to assure accommodation to stage the necessary maintenance equipment and to make provision for the turnaround and departure of equipment used to remove debris for the trash rack. The area shall be graded as determined by the Town and shall have all-weather surfacing (as generally shown on the exhibit referenced under Condition of Approval A.1.f., above).*

COA No. 2 (Landscaping) – *All plant material that is to be located in areas that will be the responsibility of the project homeowner’s association (HOA), the Geologic Hazard Abatement District (GHAD), or similar instrument found to be acceptable by the Town shall be served by an automatic underground irrigation system and shall be maintained in a healthy growing condition.*

COA No. 4 (Miscellaneous) – *The project homeowner’s association (HOA), the Geologic Hazard Abatement District (GHAD), or similar instrument found to be acceptable by the Town, shall be responsible for maintenance of all common landscape and common fencing. If an HOA is formed, draft project CC&Rs shall be submitted to the Planning Division and City Attorney for review and approval a minimum of 45 days prior to the recordation of the final map. An HOA shall be required to be formed for the project unless the developer can show, to the satisfaction of the Town, that the duties typically handled by the HOA can be adequately handled by the GHAD or similar instrument. In determining the adequacy of the GHAD or similar instrument, emphasis shall be placed on the need to provide for a local and accessible representative that residents of the neighborhood can readily contact in the event that maintenance issues arise.*

COA No. 5 (Miscellaneous) – *The Geologic Hazard Abatement District (GHAD) shall be established or annexed into. The GHAD shall finance the prevention, mitigation, abatement, or control of any current or future geologic hazard that threatens improvements on the property. Said GHAD shall be established according to Public*

Resources Code §26500 et seq. The approximately 99 acres of permanent open space created as part of this project shall be maintained by the GHAD. The GHAD shall be responsible for the maintenance and upkeep of the detention basin and other stormwater pollution control and hydromodification facility constructed as part of the project.

COA No. 8 (Miscellaneous) – *Prior to the recordation of the final map, the project applicant shall prepare and submit a detailed Operation and Maintenance Agreement to the Development and Services Department for review and approval. The operation and Maintenance Agreement shall identify the maintenance and funding for proposed storm water management features at the project site (i.e. bio-retention facility, storm water detention basin). All features shall be maintained and funded by the local homeowner's association (HOA), GHAD or similar instrument found to be acceptable by the Town. The maintenance protocols shall address both the routine and non-routine maintenance activities and shall explicitly identify monitoring and reporting requirements. These protocols shall include an estimate of annual monitoring and maintenance costs.*

The GHAD shall be responsible for the maintenance of geologic stabilization and hydrogeologic features in the common open space and the unimproved areas. Specifically, the GHAD's maintenance responsibilities include prevention and abatement of geologic hazards such as landslides and slope erosion within the developed area and open space as provided in this Plan of Control. The GHAD will have the responsibility to manage geologic hazards, as described herein, within the Project area only after the transfer process has been completed (Exhibit C). The GHAD will have the following maintenance responsibilities as outlined below:

- Monitoring of retaining walls and maintenance if structural integrity of a wall or adjacent structure(s) is threatened (Parcels A and B).
- Maintenance of water detention basin facility and access road located on Parcel "B".
- Maintenance of bioretention facility located on Parcel "A" between Midland Way and Lot 1.
- Maintenance of trash rack on Parcel "B".
- Maintenance of debris benches, lined and unlined drainage ditches in developed areas and open space.
- Vegetation control for fire suppression within open space (Parcels "A" and "B").
- Maintenance of storm drain system improvements, subdrains, and subdrain outlets in open space (Parcels "A" and "B").
- Trail maintenance on Parcel "B".

2.3.1 General Landslide Mitigation

The techniques the GHAD may employ to prevent, mitigate, or abate landsliding or adverse erosion damage that might include, but are not necessarily limited to:

- Removal of the unstable earth mass.
- Stabilization (either partial or total) of the landslide by removal and replacement with compacted drained fill.
- Construction of structures to retain or divert landslide material or sediment.
- Construction of erosion-control devices such as gabions, rip rap, geotextiles or lined ditches.
- Placement of drained engineered buttress fill.
- Placement of subsurface drainage devices (e.g., underdrains, or horizontal drains).
- Slope correction (e.g., gradient change, biotechnical stabilization, and slope trimming or contouring).
- Construction of additional surface ditches and/or detention basins, silt fences, sediment traps, or backfill or erosion channels.

Potential landslide and erosion hazards can often best be mitigated by controlling soil saturation and water runoff and by maintaining the surface and subsurface drainage system. Maintenance shall be provided for lined surface drainage ditches and drainage terraces.

2.4 BIOTECHNICAL RECOMMENDATIONS FOR PREVENTION AND MITIGATION OF EXISTING OR POTENTIAL EROSION HAZARDS

Fill slopes within the boundaries of the GHAD are expected to be erodible as will cut slopes in bedrock; therefore, the maintenance of vegetative cover is especially important. Vegetation provides a protection on soil and exposed rock. It absorbs the impact of raindrops, reduces the velocity of runoff and retards erosion.

In many instances, adequate erosion protection for slopes can be accomplished with carefully selected and placed biological elements (plants) without the use of structures (e.g., brush layering and willow waddling).

In other areas, biotechnical slope protection may involve the use of mechanical elements or structures in combination with biological elements to provide erosion control and help prevent small-scale slope failures. Locally, walls, welded-wire walls, gabion walls, rock walls, riprap and reinforced earth walls used in combination with carefully selected and planted vegetation can

provide high-quality slope protection. The vegetation may be planted on the slope above a low retaining structure or toe wall, or the interstices of the structure can be planted.

2.5 CRITERIA FOR GHAD RESPONSIBILITY

To establish an appropriate GHAD assessment level for the Podva Property portion of the GHAD, it is important to define clearly the limits of the GHAD's responsibilities. The GHAD will accept responsibility for property as described in Exhibit A and identified in Section 2.3. However, the intent of this Plan of Control is not to extend the GHAD's responsibilities to every potential situation of slope instability; as such, the following are exclusions from GHAD responsibility.

2.5.1 Isolated or Remote Slope Instability

The GHAD shall not have responsibility to monitor, abate, mitigate or control slope instability that does not involve damage to, or pose a significant threat to damage, site improvements or flood control capacity. As used herein, the term "site improvements" means buildings, roads, sidewalks, utilities, retaining walls, improved trails, swimming pools, geologic stabilization features and drainage features or similar improvements.

2.5.2 Single Property

The GHAD will not prevent, mitigate, abate or control geologic hazards which are limited in area to a single residential parcel of property unless the geologic hazard has damaged, or poses a significant threat of damage to site improvements located on other property within the GHAD boundaries.

2.5.3 Geologic Hazards Resulting from Negligence of Property Owner

The GHAD may, in the general manager's sole discretion, decline to prevent, mitigate, abate or control geologic hazards which occur or result from any negligence of the homeowner and/or the homeowner's contractors, agents or employees in developing, investigating, grading, constructing, maintaining or performing or not performing any post-development work on the subject property.

2.5.4 Property Not Accepted

The GHAD shall not have responsibility to repair damage, which is located on a parcel of real property, which the GHAD has not accepted in accordance with Exhibit C. The GHAD, however, may monitor, abate, mitigate or control slope instability on a parcel of real property, which the GHAD has not accepted in accordance with Exhibit C, provided that the GHAD responsibility on such parcel shall be limited to the extent necessary to address damage or a significant threat to damage site improvements on a GHAD-accepted parcel. Should the GHAD be required to respond to a geologic hazard outside the boundaries of the GHAD, the GHAD

may take such actions as may be appropriate to recover costs incurred as a result of preventing, mitigating, abating or controlling such geologic hazard from the responsible party, if any.

2.5.5 Geologic Hazard Which Requires Expenditure in Amount Exceeding the Value of the Threatened or Damaged Improvement

The GHAD may elect not to prevent, mitigate, abate or control a geologic hazard where, in the general manager's sole discretion, the anticipated expenditure required to be funded by the GHAD to prevent, mitigate, abate or control the geologic hazard will exceed the value of the structure(s) and site improvement(s) threatened with damage or loss.

2.5.6 GHAD Funding or Reimbursement for Damaged or Destroyed Structures or Site Improvements

In the event a residence or any other private structure, site improvement or landscape feature is damaged or destroyed as a result of a geologic hazard, the GHAD may fund or reimburse the property owner for the expenses necessary to repair or replace the damaged or destroyed structure, site improvement or landscaping. Unless otherwise authorized by the Board of Directors, the total dollar amount of the GHAD funding or reimbursement paid to all property owners whose property is damaged by a geologic hazard may not exceed ten percent (10 percent) of the total costs incurred by the GHAD in actually mitigating, abating or controlling the geologic hazard that causes the damage¹. In the event the geologic hazard damages or destroys a structure, site improvement or landscaping which violates any provisions of the City Building Code or City Code at the time of its installation or improvement, the GHAD may decline to provide any funding, or reimbursement to the property owner for repair or replacement of the damaged structure, improvement or landscaping.

2.5.7 No Reimbursement of Expenses Incurred by Property Owners

The GHAD will not be obligated to reimburse a property owner for expenses incurred for the prevention, mitigation, abatement, or control of a geologic hazard absent a written agreement between the property owner and the GHAD to that effect, which agreement has been executed prior to the property owner incurring said expenses, and following an investigation conducted by the GHAD.

2.5.8 GHAD Manager Discretion and Appeals to GHAD Board of Directors

The GHAD manager has sole discretion for GHAD's response under items in Section 2.5. Any determination made by the GHAD Manager in its sole discretion may be appealed to the GHAD Board of Directors through a written letter of appeal submitted within 10 days of the GHAD Manager's written determination to the affected party.

¹ For example, if a landslide causes \$10,000 in structural damage to each one of four neighboring homes for a total of \$40,000 in structural damage and it costs the GHAD \$100,000 to design and install a new retaining wall to abate the slide, the GHAD may only reimburse each property owner \$2,500 of their \$10,000 in structural damage.

2.6 PRIORITY FOR GHAD-FUNDED REPAIRS

Emergency response and scheduled monitoring, maintenance or repair expenditures are to be prioritized by the General Manager, utilizing its discretion, based upon available funds, a prudent reserve and the approved operating budget. Should available funds not be sufficient to undertake all of the identified remedial and preventive stabilization measures, the expenditures shall be prioritized as follows in descending order of priority.

- A. The prevention, mitigation, abatement or control of geologic hazards that have either damaged or pose a significant threat of damage to residences, critical lifeline utilities or emergency vehicle access corridors.
- B. The prevention, mitigation, abatement or control of geologic hazards that either have damaged or pose a significant threat of damage to ancillary structures or private recreation facilities (e.g., pools, spas, etc.).
- C. Prevention, mitigation, abatement or control of geologic hazards, which either have damaged or pose a significant threat of damage to open space amenities.
- D. The prevention, mitigation, abatement or control of geologic hazards that either have damaged or pose a significant threat of damage limited to loss of landscaping, other similar non-essential amenities.
- E. The prevention, mitigation, abatement or control of geologic hazards existing entirely on open-space property and which have neither damaged nor pose a significant threat of damage to any site improvements.

If sufficient funds are not available to undertake the listed activities, the GHAD may investigate obtaining funding as allowed in Section 26505(e) of the Public Resources Code through the issuance of bonds, notes, or debentures such as a line of credit.

2.7 MAINTENANCE AND MONITORING SCHEDULE

Geologic features and GHAD-maintained facilities should be inspected on a regular basis. Budget permitting, inspections should generally be scheduled to occur two times per year in normal years and three or more times per year in years of heavy rainfall. The inspections should be scheduled to take place in the fall, prior to the first significant rainfall; mid-winter as necessary during heavy rainfall years; and in spring at the end of the rainy season. It is anticipated that the monitoring events for the Podva Property and the Wiedemann Ranch development within the Wiedemann Ranch GHAD would be completed on the same schedule.

- A GHAD Engineer and/or Geologist should inspect the lined surface of concrete-lined drainage ditches within the GHAD boundaries on a regular schedule. Repairs and maintenance should be performed as needed. Excess silt or sediment in ditches should be

removed and cracked or broken ditches should be patched or repaired as required before the beginning of the next rainy season.

- Inspection, repairs, and maintenance of debris catchment structures should be performed on a regular schedule. Excess debris should be removed to allow the structures to maintain adequate catchment area.
- Subsurface drain outlets and horizontal drain outlets, if any, should be inspected on a regular schedule. Water flowing from these outlets should be measured and recorded during each inspection. Any suspicious interruption in flow should signal a need to unplug or clean.
- Inlets, outfalls or trash racks, if used, must be kept free of debris, and spillways must be maintained. Attention should be given to plantings or other obstructions, which may interfere with access by power equipment.
- Retaining walls should be inspected annually for evidence of distress, such as tilting and/or structural failure. Repairs and maintenance would be undertaken only in the event that the structural integrity of the wall has been compromised or if the wall distress poses a threat to the integrity of adjacent structures.
- The water detention basin facility and bioretention facility should be monitored on a semi-annual basis; once prior to and once following rainy season. Repairs and maintenance, as needed, should be undertaken, including removal of excess silt or sediment.
- Monitoring of the detention basin access road should include observing the access road for eroded areas or areas of instability, pavement competency, and encroaching vegetation.

The GHAD should review its inspection schedule annually and assess the effectiveness of its preventive maintenance program on a regular basis. GHAD staff should prepare an annual report to the Board of Directors with recommendations for maintenance and/or repair projects. Consultants, as necessary, may be retained to undertake the needed studies. The GHAD Geotechnical Engineer and/or Certified Engineering Geologist retained by the GHAD shall prepare an annual inspection report for presentation to the GHAD Board of Directors.

3.0 GLOSSARY

Engineer's Report - The document that establishes the individual property owners' GHAD assessment based on the projected expenses (budget) of the GHAD.

Geological Hazard Abatement District (GHAD) Manager – An entity employing a licensed Geotechnical Engineer who will oversee the operations of the GHAD including preparation of GHAD budgets. The GHAD Manager is hired by and reports to the GHAD Board of Directors.

4.0 OWNERSHIP AND MANAGEMENT

Ownership, funding sources and maintenance responsibilities shall be as shown on the following table and Figure 1.

TABLE 4.0-1
PODVA PROPERTY/WIEDEMAN RANCH GHAD
Long-Term Ownership and Management Matrix

Facility/Function	Maintenance Entity	Funding	Tentative GHAD Acceptance Date or Minimum Initial Monitoring Term	Ownership
1. Development Area				
a. Single-Family Residential Parcels (20 units)	Private	Private	Not Applicable	Private
b. Neighborhood Common Areas <ul style="list-style-type: none"> i. Landscaping ii. Irrigation iii. Fencing 	HOA	HOA Fees	Not Applicable	HOA
c. Public Roadways	Town of Danville	Town of Danville	Not Applicable	Town of Danville
d. Storm Drain System	Town of Danville	Town of Danville	Not Applicable	Town of Danville
2. Open Space – Parcels “A” and “B”				
Plan of Control Defined Activities (Three (3) Year Minimum Initial Monitoring Period)				
a. Bioretention cells	Developer	Private Funding	3 Years	Developer
b. Detention Basin	Developer	Private Funding	3 Years	Developer
c. Storm Drain System including Trash Rack	Developer	Private Funding	3 Years	Developer
d. Vegetation Management for Fire Suppression	Developer	Private Funding	3 Years	Developer
e. Slopes and Surface Drainage Improvements	Developer	Private Funding	3 Years	Developer
f. Retaining Walls, Gates, and Fencing	Developer	Private Funding	3 Years	Developer
g. Trail	Developer	Private Funding	3 Years	Developer
Plan of Control Defined Activities (Post Initial Monitoring Period)				
a. Bioretention cell	GHAD	Assessment	Perpetual	GHAD
b. Detention Basin	GHAD	Assessment	Perpetual	GHAD
c. Storm Drain System including Trash Rack	GHAD	Assessment	Perpetual	GHAD
d. Vegetation Management for Fire Suppression	GHAD	Assessment	Perpetual	GHAD
e. Slopes and Surface Drainage Improvements	GHAD	Assessment	Perpetual	GHAD

Facility/Function	Maintenance Entity	Funding	Tentative GHAD Acceptance Date or Minimum Initial Monitoring Term	Ownership
f. Retaining Walls, Gates, and Fencing	GHAD	Assessment	Perpetual	GHAD
h. Trail	GHAD	Assessment	Perpetual	GHAD

5.0 RIGHT-OF-ENTRY

GHAD officers, employees, consultants, contractors, agents, and representatives shall have the right to enter upon all lands within the GHAD boundary, as described or shown in Exhibit A, for the purpose of performing the activities described in the Podva Property GHAD Plan of Control. Should the GHAD need to access parcels owned by the Homeowner's Association, or private residential lots to fulfill its duties under the Plan of Control, the GHAD shall provide the affected landowner and/or resident with 72 hours advanced notice unless, in the reasonable judgment of the GHAD Manager, an emergency situation exists which makes immediate access necessary to protect the public health and safety, in which case no advanced notice is required, but the GHAD shall inform the landowner and/or resident as soon as reasonably possible.

The owner or owners of property within the Podva Property shall record a Declaration of Restrictive Covenants, Right of Entry and Disclosures Regarding Geologic Hazard Abatement GHAD ("Declaration") after recordation of the Parcel Map. The Declaration creates covenants that run with the land and will be binding upon all future owners of property within the Podva Property development, their successors and assigns.

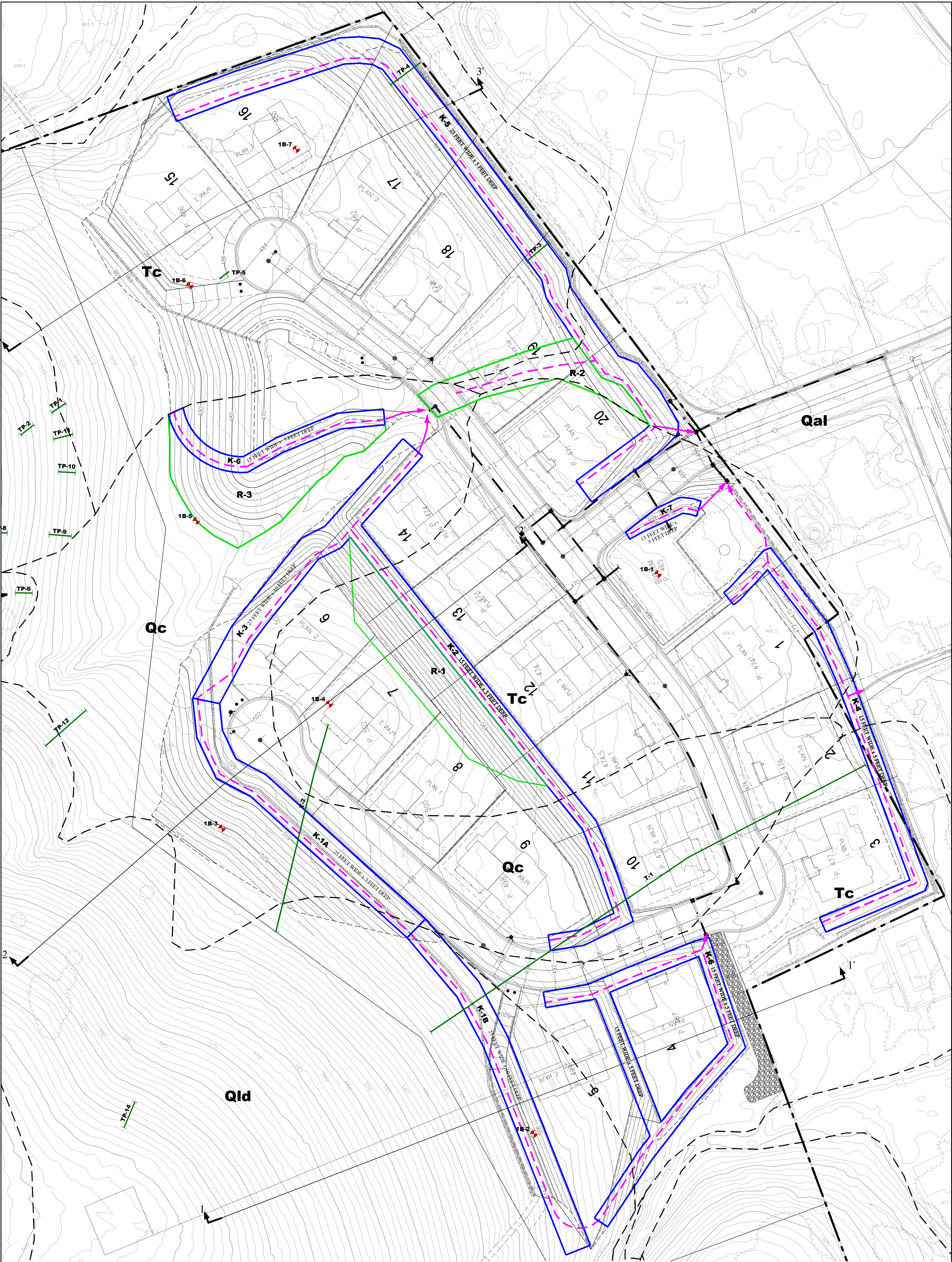
REFERENCES

1. Danville Town of, Resolution No. 28-2014, Certifying a Final Environmental Impact Report and Adopting finding of Fact, Adopting Mitigation Measures and a Mitigation Monitoring and Reporting Program, and Approving Preliminary Development Plan – Rezoning Request LEG12-001, Major Subdivision Request SD 9309, Final Development Plan Request Dev114-0011 and Tree Removal Request TR14-007 (APN 208-160-007 and 008 – Podva Property – Ponderosa Homes), April 1, 2014.
2. ENGEO, Geotechnical Exploration, Podva Property, Danville, California, Project Number 9160.000.001, August 6, 2014.
3. ENGEO, Preliminary Geotechnical and Fault Evaluation Report, Podva Parcel, Danville, California, Project Number 9160.000.001, August 5, 2011.
4. Carlson, Barbee and Gibson, Vesting Tentative Map, Subdivision 9309, Podva Property, Town of Danville, California, January 2012.
5. Carlson, Barbee and Gibson, Draft Final Map, Subdivision 9309, Podva Property, Town of Danville, California, November 2014.

FIGURE 1

Corrective Grading Plan





EXPLANATION

ALL LOCATIONS ARE APPROXIMATE

- Qal** ALLUVIUM
Qc COLLUVIUM
Tsp SAN PABLO GROUP / UNDIFFERENTIATED
Tc CIERBO SANDSTONE
Tbr BRIONES FORMATION
Tm MONTEREY GROUP
Qld LANDSLIDE DEBRIS FAN DEPOSIT

- GEOLOGIC CONTACT
T-2 TRENCH (ENGE)
TP-11 TEST PIT (ENGE)
1-BH6 BORING (ENGE, 2014)
3' 3' CROSS SECTION

- K-7** KEYWAY WITH WIDTH AND DEPTH
R-3 REMOVAL AREA
--- SUBDRAIN
--- SUBDRAIN OUTFALL

BASE MAP SOURCE: CBG



CORRECTIVE GRADING PLAN
PODVA PARCEL
DANVILLE, CALIFORNIA

PROJECT NO: 9160.000.001
SCALE: AS SHOWN
DRAWN BY: PC
CHECKED BY: RS

SHEET NO
1

EXHIBIT A

Legal Description and Plats to Accompany Legal Description



SUBDIVISION 9309 RED HAWK

CONSISTING OF 5 SHEETS
BEING A PORTION OF RANCHO SAN RAMON AND
A PORTION OF SECTION 32, T.1S., R.1W., MDM
TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

Carlson, Barbee & Gibson, Inc.

CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

JUNE 2015

OWNER'S STATEMENT

THE UNDERSIGNED, BEING THE PARTIES HAVING RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACED WITHIN THE SUBDIVISION BOUNDARY OF THIS MAP ENTITLED "SUBDIVISION 9309 RED HAWK", TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA, DO HEREBY CONSENT TO THE MAKING AND RECORDATION OF THE SAME.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES; THOSE PORTION OF SAID LANDS DESIGNATED ON THIS MAP AS RED TAIL COURT, WINGFIELD COURT AND MIDLAND WAY FOR PUBLIC STREET AND UTILITY PURPOSES.

THE REAL PROPERTY BELOW IS OFFERED FOR DEDICATION AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "PUBLIC UTILITY EASEMENT" OR "PUE" ARE FOR PUBLIC PURPOSES INCLUDING POLES, WIRES, CONDUITS, STORM DRAINS, FLOOD AND SURFACE WATER DRAINAGE, GAS LINES, ELECTRIC, TELEPHONE, AND CABLE TELEVISION UTILITIES, INCLUDING THE RIGHTS OF INGRESS, EGRESS, CONSTRUCTION, RECONSTRUCTION, ACCESS FOR MAINTENANCE OF WORKS, IMPROVEMENTS, AND STRUCTURES, AND THE CLEARING OF OBSTRUCTIONS AND VEGETATION.

THE REAL PROPERTY BELOW IS OFFERED FOR DEDICATION AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS SHOWN AS "SCENIC EASEMENT" OVER PARCEL "B" AND UNSURVEYED DESIGNATED REMAINDER ARE FOR THE PURPOSE OF OPEN SPACE AND ARE SPECIFICALLY EXCLUDED FROM FUTURE DEVELOPMENT, THE SCENIC EASEMENT ACROSS THE UNSURVEYD DESIGNATED REMAINDER SHALL AUTOMATICALLY EXTINGUISH UPON E.B.R.P.D. ACCEPTANCE OF THE LAND DEDICATION.

THE REAL PROPERTY DESIGNATED AS PARCEL "A" IS FOR THE PURPOSE OF PRIVATE STORM DRAINAGE, LANDSCAPE FEATURES, AND WATER QUALITY USE AND ANY IMPROVEMENTS AND APPURTENANCES INSTALLED. THE REAL PROPERTY DESIGNATED AS PARCEL "B" IS FOR THE PURPOSE OF OPEN SPACE. MAINTENANCE OF SAID PARCELS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION OF THIS SUBDIVISION. PARCEL "A" AND PARCEL "B" WILL BE OFFERED TO, AND ACCEPTED BY, THE GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD) BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREAS SHOWN AS "LANDSCAPE MAINTENANCE EASEMENT" OR "LME" ARE SPECIFICALLY EXCLUDED FROM PUBLIC DEDICATION AND ARE FOR THE USE OF AND MAINTENANCE BY THE HOMEOWNERS ASSOCIATION OF SUBDIVISION 9309 RED HAWK, FOR ACCESS, STORM DRAINAGE, CONSTRUCTION, AND MAINTENANCE OF STORM DRAIN AND LANDSCAPE FEATURES.

THE AREA MARKED EBMUD IS DEDICATED TO EAST BAY MUNICIPAL UTILITY DISTRICT AS A PERPETUAL EASEMENT FOR THE PURPOSE OF CONSTRUCTING, REPLACING, MAINTAINING, OPERATING AND USING FOR THE TRANSMISSION AND DISTRIBUTION OF WATER, A PIPE OR PIPELINES AND ALL NECESSARY FIXTURES INCLUDING UNDERGROUND TELEMETRY AND ELECTRICAL CABLES OR APPURTENANCES THERETO, IN, UNDER, ALONG AND ACROSS SAID EASEMENT. TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM SAID EASEMENT AND THE RIGHT AT ALL TIMES TO ENTER IN, OVER AND UPON SAID EASEMENT AND EVERY PART THEREOF.

THE EASEMENT AREA MAY BE LANDSCAPED IN A MANNER CONSISTENT WITH EAST BAY MUNICIPAL UTILITY DISTRICT'S USE; HOWEVER, NO BUILDING OR STRUCTURE MAY BE PLACED ON SAID EASEMENT, NO TREES MAY BE PLANTED WITHIN THE EASEMENT AREA AND NO CHANGES MAY BE MADE TO THE EXISTING SURFACE ELEVATION (GRADE) OF THE EASEMENT AREA BY MORE THAN ONE (1) FOOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY INTERFERE WITH EAST BAY MUNICIPAL UTILITY DISTRICT'S FULL ENJOYMENT OF SAID EASEMENT.

THE REAL PROPERTY DESIGNATED AS "DESIGNATED UNSURVEYED REMAINDER" SHALL BE DEDICATED TO THE EAST BAY REGIONAL PARK DISTRICT BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREA SHOWN AS TRAIL MAINTENANCE ACCESS EASEMENT OR "TMAE" IS IRREVOCABLY OFFERED FOR DEDICATION TO THE EAST BAY REGIONAL PARK DISTRICT FOR INGRESS AND EGRESS, MAINTENANCE PURPOSES, AND PUBLIC ACCESS. THIS EASEMENT WILL BE ACCEPTED BY THE EAST BAY REGIONAL PARK DISTRICT BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THIS MAP SHOWS ALL EASEMENTS OF RECORD ON THE PROPERTY BEING SUBDIVIDED.

AS OWNER:

PONDEROSA HOMES II, INC., A CALIFORNIA CORPORATION

BY: _____ BY: _____

NAME: _____ NAME: _____

TITLE: _____ TITLE: _____

OWNER'S 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 _____
COUNTY OF _____

ON _____, BEFORE ME, _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL:

SIGNATURE: _____

NAME (PRINT): _____

PRINCIPAL COUNTY OF BUSINESS: _____

MY COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

OWNER'S 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 _____
COUNTY OF _____

ON _____, BEFORE ME, _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL:

SIGNATURE: _____

NAME (PRINT): _____

PRINCIPAL COUNTY OF BUSINESS: _____

MY COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF PONDEROSA HOMES II, INC., A CALIFORNIA CORPORATION, IN SEPTEMBER 2014, AND IS TRUE AND COMPLETE AS SHOWN. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP, I HEREBY STATE THAT THE MONUMENTS WILL BE SET IN THE POSITIONS INDICATED AFTER THE IMPROVEMENTS ARE COMPLETED AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. THE AREA OF THE SUBDIVISION IS 13.22 ACRES, MORE OR LESS.

DATE _____



MARK H. WEHBER, P.L.S.
L.S. NO. 7960

RECORDER'S STATEMENT

THIS MAP, ENTITLED " SUBDIVISION 9309 RED HAWK", IS HEREBY ACCEPTED FOR RECORDATION, SHOWING A CLEAR TITLE AS PER LETTER OF TITLE WRITTEN BY FIRST AMERICAN TITLE COMPANY, DATED _____, AND AFTER EXAMINING THE SAME, I DEEM THAT SAID MAP COMPLIES IN ALL RESPECTS WITH THE PROVISIONS OF STATE LAWS AND LOCAL ORDINANCES GOVERNING THE FILING OF SUBDIVISION MAPS.

RECORDED AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY AT _____, M., ON THE _____ DAY OF _____, 20_____, IN BOOK _____ OF MAPS, AT PAGE _____, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

DOCUMENT NO: _____

JOSEPH E. CANCEMILLA
COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

BY: _____
DEPUTY COUNTY RECORDER



SUBDIVISION 9309 RED HAWK

CONSISTING OF 5 SHEETS
BEING A PORTION OF RANCHO SAN RAMON AND
A PORTION OF SECTION 32, T.1S., R.1W., MDM
TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

Carlson, Barbee & Gibson, Inc.

CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

JUNE 2015

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN TRACT MAP ENTITLED " SUBDIVISION 9309 RED HAWK", THAT THE SUBDIVISION IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEROF, AS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, ON _____, THAT ALL OF THE PROVISIONS OF STATE LAW AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

DATE: _____

STEVEN C. LAKE
DEVELOPMENT SERVICES DIRECTOR/CITY ENGINEER
TOWN OF DANVILLE
R.C.E. 31870

CITY CLERK'S STATEMENT

I HEREBY STATE THIS MAP, ENTITLED " SUBDIVISION 9309 RED HAWK ", WAS PRESENTED TO THE TOWN COUNCIL OF THE TOWN OF DANVILLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AS PROVIDED BY LAW, AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 20____ AND THAT SAID COUNCIL DID THERUPON APPROVE SAID MAP BY A RESOLUTION WHICH WAS DULY PASSED AND ADOPTED AT SAID MEETING.

I FURTHER STATE THAT SAID TOWN COUNCIL DID HEREBY ACCEPT, SUBJECT TO IMPROVEMENTS, ON BEHALF OF THE PUBLIC, THE FOLLOWING OFFERS OF DEDICATION SHOWN ON THIS MAP, SAID AREAS ARE CALLED OUT AS: RED TAIL COURT, WINGFIELD COURT, PUBLIC UTILITY EASEMENT (PUE), SCENIC EASEMENT AND MIDLAND WAY.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HANDS THIS _____ DAY OF _____, 2015.

MARIE SUNSERI
CITY CLERK AND EX--OFFICIO CLERK OF THE
TOWN COUNCIL OF THE TOWN OF DANVILLE,
COUNTY OF CONTRA COSTA, STATE OF
CALIFORNIA

PLANNING STATEMENT

I HEREBY STATE THAT THE PLANNING COMMISSION OF THE TOWN OF DANVILLE, CONTRA COSTA COUNTY, STATE OF CALIFORNIA, HAS APPROVED THE TENTATIVE MAP ENTITLED "SUBDIVISION 9309 RED HAWK" UPON WHICH THE FINAL MAP IS BASED.

DATE _____

KEVIN J. GAILEY
CHIEF OF PLANNING
TOWN OF DANVILLE
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

BUILDING OFFICIAL'S STATEMENT

A GEOTECHNICAL EXPLORATION REPORT, PREPARED BY ENGEO, DATED AUGUST 6, 2014, PROJECT NO. 916.000.001 , SIGNED BY PHILIP STUECHELI, HAS BEEN RECEIVED AND APPROVED FOR AREAS INCLUDED IN THIS SUBDIVISION AND IS KEPT ON FILE FOR PUBLIC INSPECTION AT THE TOWN OF DANVILLE BUILDING INSPECTION DIVISION, DANVILLE, CALIFORNIA.

MIKE LEONTIADES
CHIEF BUILDING OFFICIAL
TOWN OF DANVILLE
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

BY _____ DATE _____

CLERK OF THE BOARD OF SUPERVISORS STATEMENT

I HEREBY STATE AS CHECKED BELOW THAT:

() A TAX BOND ASSURING PAYMENT OF ALL TAXES WHICH ARE NOW A LIEN, BUT ARE NOT YET PAYABLE , HAVE BEEN RECEIVED AND FILED WITH THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA,

() ALL TAXES DUE HAVE BEEN PAID , AS CERTIFIED BY THE COUNTY REDEMPTION OFFICER

DATED _____

DAVID TWA
CLERK OF THE BOARD OF SUPERVISORS
AND COUNTY ADMINISTRATOR
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

BY _____
DEPUTY CLERK

PRELIMINARY

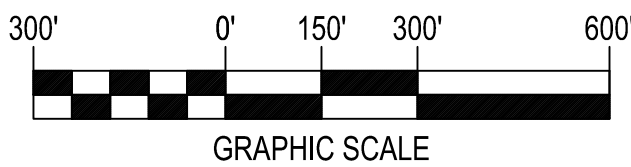
SUBDIVISION 9309
RED HAWK

CONSISTING OF 5 SHEETS
BEING A PORTION OF RANCHO SAN RAMON AND
A PORTION OF SECTION 32, T.1S., R.1W., MDM
TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

Carlson, Barbee & Gibson, Inc.

CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 300' JUNE 2015



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS DETERMINED BY FOUND MONUMENTS SHOWN ON WESTRIDGE AVENUE, THE BEARING BEING N21°00'00"W PER TRACT NO. 3280 (107 M 43).

REFERENCES:

- (#) INDICATES REFERENCE NUMBER
(1) SUBDIVISION 6098 (279 M 3)
(2) GRANT DEED, DOC NO. 2011-32618
(3) TRACT 2743 (77 M 31)
(4) SUBDIVISION 3280 (107 M 43)

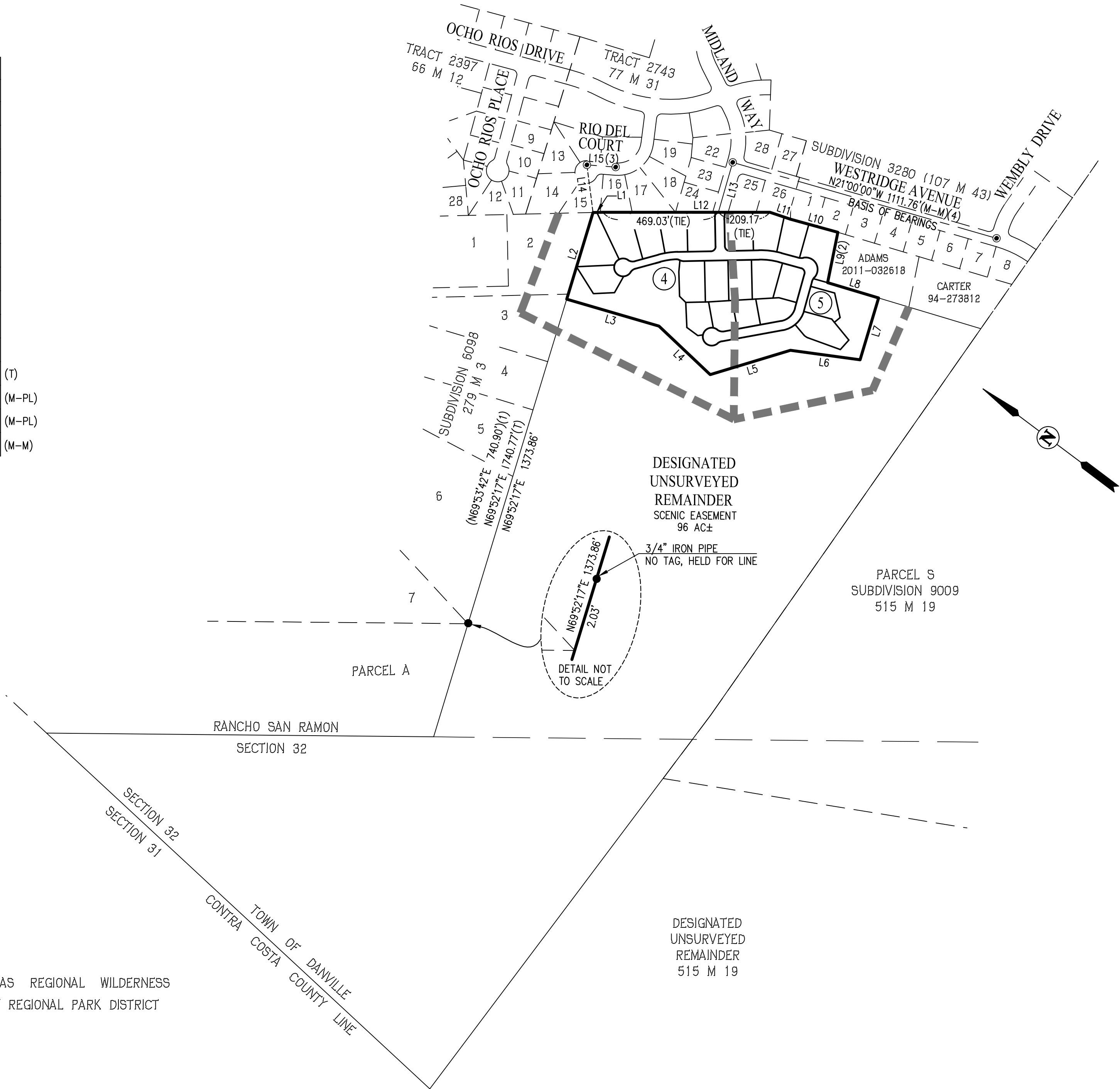
NOTE:

1. A CHISELED MARK SHALL BE CUT INTO THE TOP OF CURB AT THE PROLONGATION OF LOT LINES, AND A REBAR AND CAP, LS 7960, SHALL BE SET AT ALL NON-FRONTAGE CORNERS AND ANGLE POINTS

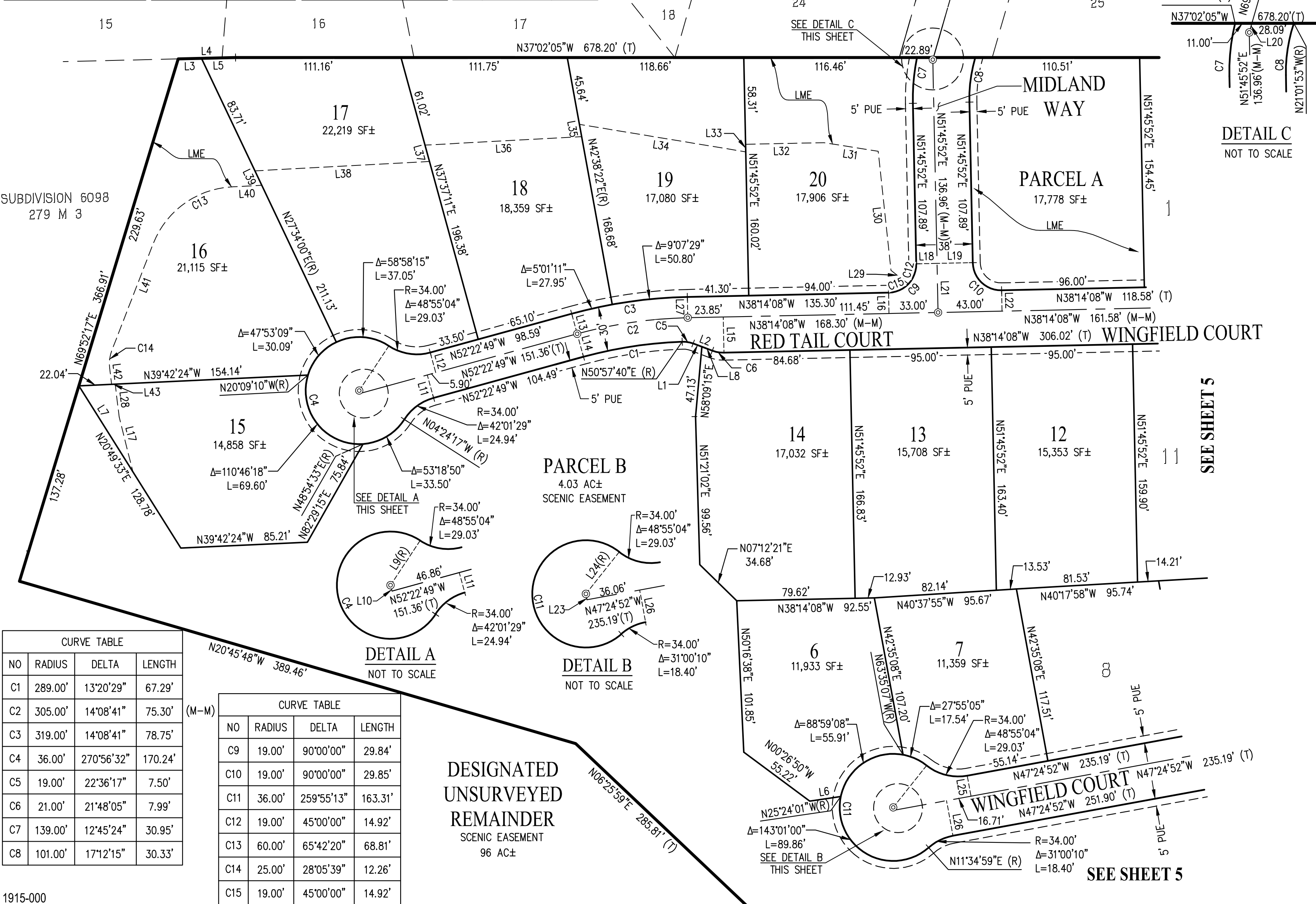
LEGEND

	SUBDIVISION BOUNDARY LINE
	RIGHT OF WAY LINE
	LOT LINE
	EASEMENT LINE
	MONUMENT LINE
	ADJOINER LINE
	RANCHO AND SECTION LINE
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
⊙	FOUND STANDARD STREET MONUMENT
⊙	SET STANDARD STREET MONUMENT
●	FOUND MONUMENT AS NOTED
LME	LANDSCAPE MAINTENANCE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
TMAE	TRAIL MAINTENANCE ACCESS EASEMENT
	SHEET LIMIT
2	SHEET NUMBER

LINE TABLE		
NO	BEARING	LENGTH
L1	N38°23'06"W	38.56'
L2	N69°52'17"E	366.91'
L3	N20°45'48"W	389.46'
L4	N06°25'59"E	285.81'
L5	N53°56'03"W	339.68'
L6	N29°13'22"W	284.65'
L7	N69°39'40"E	261.49'
L8	N20°20'20"W	215.97'
L9	N64°27'40"E	208.30'
L10	N21°34'57"W	199.21'
L11	N18°20'58"W	87.21'
L12	N37°02'05"W	678.20' (T)
L13	N69°00'00"E	209.85' (M-PL)
L14	N45°35'15"E	194.43' (M-PL)
L15	N32°30'00"W	117.00' (M-M)



LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
NO	BEARING	LENGTH	NO	BEARING	LENGTH	NO	BEARING	LENGTH	NO	BEARING	LENGTH	NO	BEARING	LENGTH
L1	N16°26'03"W	6.28'	L10	N37°37'11"E	2.00'	L19	N38°14'08"W	24.00'	L28	S46°03'48"W	22.24'	L37	N37°37'11"E	11.36'
L2	N16°26'03"W	13.77'	L11	N37°37'11"E	16.00'	L20	N69°00'00"E	1.46'	L29	N01°02'36"E	14.90'	L38	N40°08'12"W	117.46'
L3	N38°23'06"W	15.68'	L12	N37°37'11"E	14.00'	L21	N51°45'52"E	33.00'	L30	N46°50'45"E	80.46'	L39	N27°34'00"E	10.70'
L4	N38°23'06"W	38.56'	L13	N37°37'11"E	14.00'	L22	N51°45'52"E	14.00'	L31	N28°00'17"W	36.86'	L40	N40°08'12"W	20.34'
L5	N38°23'06"W	22.88'	L14	N37°37'11"E	16.00'	L23	N42°35'08"E	2.00'	L32	N38°14'08"W	52.72'	L41	N74°09'28"E	76.73'
L6	N45°17'35"W	21.05'	L15	N51°45'52"E	24.00'	L24	N88°29'48"W	36.00'	L33	N51°45'52"E	5.06'	L42	N46°03'48"E	10.93'
L7	N20°49'33"E	68.32'	L16	N51°45'52"E	14.00'	L25	N42°35'08"E	14.00'	L34	N27°39'51"W	113.32'	L43	N39°42'24"W	2.41'
L8	N16°26'03"W	7.48'	L17	S38°53'39"W	38.05'	L26	N42°35'08"E	24.00'	L35	N42°38'22"E	8.37'			
L9	N86°32'15"E	36.00'	L18	N38°14'08"W	14.00'	L27	N51°45'52"E	14.00'	L36	N40°08'12"W	105.44'			



SUBDIVISION 9309 RED HAWK

CONSISTING OF 5 SHEETS
BEING A PORTION OF RANCHO SAN RAMON AND
A PORTION OF SECTION 32, T.1S., R.1W., MDM
TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

Carlson, Barbee & Gibson, Inc.

CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1" = 50' JUNE 2015



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS DETERMINED BY FOUND MONUMENTS SHOWN ON WESTRIDGE AVENUE, THE BEARING BEING N21°00'00"W PER TRACT NO. 3280 (107 M 43).

REFERENCES:

- (#) INDICATES REFERENCE NUMBER
(1) SUBDIVISION 6098 (279 M 3)
(2) GRANT DEED, DOC NO. 2011-32618
(3) TRACT 2743 (77 M 31)
(4) SUBDIVISION 3280 (107 M 43)

NOTE:

1. A CHISELED MARK SHALL BE CUT INTO THE TOP OF CURB AT THE PROLONGATION OF LOT LINES, AND A REBAR AND CAP, LS 7960, SHALL BE SET AT ALL NON-FRONTAGE CORNERS AND ANGLE POINTS

LEGEND

	SUBDIVISION BOUNDARY LINE
	RIGHT OF WAY LINE
	LOT LINE
	EASEMENT LINE
	MONUMENT LINE
	ADJOINER LINE
	RANCHO AND SECTION LINE
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
	FOUND STANDARD STREET MONUMENT
	SET STANDARD STREET MONUMENT
	FOUND MONUMENT AS NOTED
LME	LANDSCAPE MAINTENANCE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
TMAE	TRAIL MAINTENANCE ACCESS EASEMENT

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	289.00'	13°20'29"	67.29'
C2	305.00'	14°08'41"	75.30'
C3	319.00'	14°08'41"	78.75'
C4	36.00'	270°56'32"	170.24'
C5	19.00'	22°36'17"	7.50'
C6	21.00'	21°48'05"	7.99'
C7	139.00'	12°45'24"	30.95'
C8	101.00'	17°12'15"	30.33'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C9	19.00'	90°00'00"	29.84'
C10	19.00'	90°00'00"	29.85'
C11	36.00'	259°55'13"	163.31'
C12	19.00'	45°00'00"	14.92'
C13	60.00'	65°42'20"	68.81'
C14	25.00'	28°05'39"	12.26'
C15	19.00'	45°00'00"	14.92'

**E
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EXHIBIT B

PODVA PROPERTY ANNEXATION

Site Geology



SITE GEOLOGY

Site and Geologic Setting

The Podva property consists of two Assessor's Parcels (208-160-007 and 208-160-008) totaling approximately 109 acres located in the Town and Country Planning Area of Danville, California (Figure 1). The property backs to the Las Trampas Regional Wilderness to the west, the Elworthy Property to the south, residential development to the north and east, and is located at the west terminus of Midland Way. The property is currently agricultural with two existing structures, a wooden barn and a metal building.

The Podva property is generally characterized by open, rolling, grass-covered hills, to the ridgeline above, with tree-covered drainage channels and scattered trees in open areas. Current elevations range from a high of about 1,100 feet above mean sea level (msl) at a Las Trampas Ridgeline in the southwest corner of the property to a low of about 452 feet above msl at the east extent of the property at the terminus of Midland Way. The easternmost portion of the project is a gently sloping terrace area.

The Podva property is located on the west flank of Las Trampas Ridge, a prominent northwest-trending ridge formed by uplifted resistant Miocene sandstones that include the Briones, Cierbo and Nerloy Formations (Ham, 1952, Crane, 1995). The ridge crest is the west flank of the overturned Las Trampas Anticline. The core of the anticline is formed by interbedded sandstone and shale of the Middle Miocene Monterey group and contains the Las Trampas Fault, a Late Quaternary east-vergent thrust fault, mapped just below the ridge crest. The Podva Property is located over the eastern flank of the fold. The bedrock layers underlying the site are overturned, inclined steeply northwest, and include the Monterey Group and the Briones and Cierbo Sandstones. Steeply west-dipping sandstone layers are exposed under the relatively flat eastern terrace area and in the incised drainages that flank the property on the north and south.

The Las Trampas Anticline and the Las Trampas Fault are features that are related to the regional structure of the East Bay Hills block, an uplifted range bordered on the east by the Calaveras Fault, an active strike-slip fault generally located at the eastern side of Las Trampas Ridge, and the active Hayward Fault, located approximately 8.8 miles to the southwest. In the site vicinity, northeast-directed shortening between these two faults has resulted in the formation of several folds and thrust faults, including the Las Trampas and Bollinger Faults.

Landslide Deposits

Much of the Podva property west of the residential development on the lower terrace area consists of a large, deep-seated landslide complex. Crudely stratified soils interpreted as debris fan deposits were encountered at the east limit of the mapped landslide deposit. No evidence of deep-seated landslide displacement or shearing was observed in previous fault trenches excavated in these deposits or along the contact with underlying bedrock. The geotechnical

exploration at the site concluded that the veneer of debris fan deposits that mantle the eastern edge of the deep-seated landslide complex have not been displaced by deep-seated slope movements. Locally, smaller, recent landslides have formed on slopes underlain by these deposits as depicted on the Site Plan and Geologic Map. The bedrock exposed at the east side of the project appears to be strong competent, and unaffected by landslide movements.

Recently active slump/earthflow landslides are present in the debris fan deposits on the slopes adjacent to the eastern terrace area. It was concluded that these landslides do not appear to have mobilized and flowed great distances due to the fine-grained and cohesive nature of the soils.

The previous geotechnical exploration at the site concluded that the risk of direct landslide movement impacts to the proposed development area is low.

Seismic Sources

The residential development area is not located within a designated California Earthquake Fault Zone for active faults; however, the zone for the Calaveras fault is located on the Podva Property approximately 1,000 feet southwest of the development. A previous fault investigation performed at the Site concluded that no active fault traces cross the development area (ENGEO, 2011).

South of the site, the Calaveras fault is considered to be “active” by the State and is believed to accommodate approximately 4mm/year of long-term slip that is well-expressed geomorphically by east-facing fault scarps, saddles and deflected drainages (Hart, 1981). The Calaveras fault bifurcates south of the site near Bollinger Canyon Road, and the well-defined fault traces disappear into a series of large landslide complexes on the east flank of Las Trampas Ridge. The locations of active traces of the Calaveras fault have been evaluated by the State of California (Hart, 1981). The State zone for the Calaveras fault ends at the boundary of the Diablo Quadrangle because, beyond that point, the fault is not “sufficiently active and well-defined” to be included on the State maps. A recent study of the northern portion of the Calaveras fault by Unruh and Kelson (2002) concluded that the slip from the active portion of the fault transfers through the East Bay Hills north and west of Danville via the complex interaction of several fold, thrust fault and strike slip fault structures.

Groundwater

Groundwater was not encountered in borings, trenches or test pits at the site during the ENGEO geotechnical investigation. Subdrains have been proposed within keyways on the corrective grading plans to control the potential impacts from groundwater.

EXHIBIT C

PODVA PROPERTY ANNEXATION
Funding and Acceptance



FUNDING AND ACCEPTANCE OF RESPONSIBILITY BY THE GHAD

An annual assessment is already being levied for properties in the GHAD under the provisions of the existing Plan of Control and Engineer's Report. Ultimately, an annual assessment shall be levied on all annexed residential and nonresidential parcels with habitable building areas within the Podva Property development.

1. Activation of Assessment

The assessment shall be levied by the GHAD on each individual parcel beginning the first fiscal year following issuance of a building permit for that parcel.

2. Responsibility for GHAD Activities

The party that, on the date the Final Map is recorded within the GHAD annexation boundaries owns the developable parcels shown on that Final Map, shall have the responsibility to perform all activities that are anticipated to be transferred to the GHAD. Such responsibility shall be eligible to transfer to the GHAD at 9:00 a.m. on the day exactly three years after the first residential building permit within the annexation area is issued by the Town of Danville provided that the items listed under item No. 4 in this section have been completed. This turn-over date may be extended at the sole discretion of the project developer provided that the assessments shall continue to be levied during the extension period and that notice of such extension is delivered to the GHAD Manager at least 30 days prior to the turn-over date. The petitioners for formation of the GHAD intend that the approximately three-year period between the initial levying of the GHAD assessment and the GHAD becoming responsible to perform activities on property within each Final Map will allow the GHAD to accumulate reserve funds without incurring significant expenses.

3. Ownership of the Open Space

Ownership of the open space (Parcels "A" and "B") will pass from the owner/developers to the GHAD on, or approximately on, the date the GHAD commences its activities and becomes responsible for oversight of the actual physical maintenance of the open space as provided in this section.

4. Process for Transferring Responsibility for GHAD Activities

After the Transfer Eligibility Date for parcel(s), the process for transferring responsibility for performing GHAD activities on such parcel(s) shall be as follows:

- (a) Up to one year in advance of the Transfer Eligibility Date or in any subsequent year, at its discretion, the developer may apply to the GHAD ("Transfer Application") to transfer the responsibility for performing GHAD Activities for parcel(s) to the GHAD.

- (b) Within 45 days of receiving such notice, a representative of the GHAD shall verify that all the facilities for which the GHAD will have maintenance responsibility have been constructed and maintained according to the City-approved plans and specifications for the individual improvements, and that such facilities are operational and in good working order.
- (c) Within 15 days of such inspection, the GHAD will send the developer a list ("Punch list") of all of the items that need to be constructed, repaired or otherwise modified.
- (d) The developer may notify the GHAD when it has completed the items identified on the Punch list.
- (e) Within 30 days of receipt of such notice, the GHAD shall verify whether all Punch List items have been completed. If such items have been completed, the GHAD shall notify the developer that the GHAD accepts responsibility for performing all future GHAD Activities on the parcel(s).
- (f) The GHAD shall confirm that the reserve requirement defined in the approved Engineer's Report has been met.
- (g) Ownership of the open space shall be transferred from the owner/developers to the District.
- (h) The owner or owners of property within the Podva property shall record a Declaration of Restrictive Covenants, Right of Entry, and Disclosures Regarding Geologic Hazard Abatement District ("Declaration") previously approved by the GHAD.

As part of the transfer, the developer of parcel(s) to be transferred will provide the GHAD, for its use, copies of the applicable geotechnical exploration reports, grading plans, corrective grading plans, improvement plans, field-verified geologic maps, as-built subdrain plans or other pertinent documents as requested by the GHAD.

**PETITION FOR ANNEXATION OF TERRITORY TO THE
WIEDEMANN RANCH GEOLOGIC HAZARD
ABATEMENT DISTRICT PURSUANT TO
DIVISION 17 (commencing with Section 26500)
OF THE PUBLIC RESOURCES CODE
OF THE STATE OF CALIFORNIA**

TO: The Clerk of the Wiedemann Ranch Geologic Hazard Abatement District ("GHAD")

The undersigned owner of land within the boundaries of the territory proposed to be annexed to the GHAD hereby request that the Board of Directors of the GHAD ("GHAD Board") initiate proceedings to annex the territory described in Exhibit A ("Boundary Map") and Exhibit B ("Legal Description"), attached hereto, to the GHAD pursuant to Article 3 (commencing with Public Resources Code § 26550) and Article 4 (commencing with Public Resources Code § 26561) of Chapter 2 of Division 17 of the Public Resources Code (§ 26500 *et seq.*). Said owner is the owner of all the territory proposed to be annexed.

(a) This petition is made pursuant to Division 17 of the Public Resources Code with particular reference to Article 3 (commencing with Section 26550) and Article 4 (commencing with Section 26561).

(b) Opposite the signature of each petitioner is an indication of the lot, tract and map number or other legal description sufficient to identify the signature of the petitioner as that of an owner of land within the territory proposed to be annexed to the GHAD.

(c) Opposite the signature of each petitioner is an indication of the date on which said petitioner's signature was affixed to this petition.

(d) The following documents are attached to this petition and are incorporated herein by this reference as if set forth in full in the petition:

1. A map of the boundaries of the territory proposed to be annexed to the GHAD (Exhibit A);

2. A legal description of the boundaries of the territory proposed to be annexed to the GHAD (Exhibit B); and

3. Annexation Documents for the Podva Property Development including a Plan of Control prepared by an Engineering Geologist certified pursuant to Section 7822 of the California Business and Professions Code, which describes in detail geologic hazards, their location and the areas affected thereby, and a plan for their prevention, mitigation, abatement and control thereof (Exhibit C).

Exhibits:

A - Boundary Map and Legal Description

B - Annexation Documents including the Podva Property Plan of Control

Ponderosa Homes II, Inc., a California Corporation

By: _____

Jeffrey C. Schroeder

Name: Jeffrey C. Schroeder

Title: _____

Senior Vice President

Date: _____

September 8, 2015

Assessor's Parcel Number: 208-160-007; 008



Contra Costa County

To: Board of Supervisors
From: David Twa, County Administrator
Date: January 19, 2016

Subject: Claims

RECOMMENDATION(S):

DENY claims filed by State Farm Insurance on behalf of, Evelyn Aguilar, Juana Godinez, Michael Kitterman, et al., and Licia Parsons Waita.

FISCAL IMPACT:

No fiscal Impact.

BACKGROUND:

*

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: 01/19/2016

☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Joellen Balbas
925-335-1906

cc:



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: January 19, 2016

Subject: ACCEPT Board Members meeting reports for December 2015

RECOMMENDATION(S):

ACCEPT Board members meeting reports for December 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. District I and District V had nothing to report for the month of December.

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors will not be in compliance with Government Code 53232.3(d).

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: 01/19/2016 ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
Supervisor

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

ATTESTED: January 19, 2016

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

By: Stephanie L. Mello, Deputy

Contact: Joellen Balbas
925.335.1906

cc:

ATTACHMENTS

District IV December 2015
report

District II December 2015
Report

District III December 2015
report

**Supervisor Karen Mitchoff
December 2015**

DATE	MEETING NAME	LOCATION	PURPOSE
12/1/2015	CSAC Annual Meeting	Monterey	Annual Conference
12/2/2015	BAAQMD Mobile Source Committee	San Francisco	Regional Air Quality Issues
12/2/2015	CCTA Planning Committee	Walnut Creek	Decisions on agenda items
12/3/2015	Contra Costa County Watershed Symposium	Pleasant Hill	Water Advocacy
12/3/2015	Hiring Outreach and Oversight Committee	Martinez	Decisions on agenda items
12/3/2015	Mayor's Conference	Concord	Community Outreach
12/8/2015	Board of Supervisors Meeting	Martinez	Decisions on agenda items
12/10/2015	TRANSPAC Meeting	Pleasant Hill	Decisions on agenda items
12/10/2015	Concord Chamber's Holiday Luncheon	Concord	Community Outreach
12/10/2015	CCCSWA Board Meeting	Walnut Creek	Decisions on agenda items
12/11/2015	Contra Costa Health Plan Joint Conference Committee	Martinez	Decisions on agenda items
12/14/2015	Internal Operations Committee	Martinez	Decisions on agenda items
12/15/2015	Board of Supervisors Meeting	Martinez	Decisions on agenda items
12/16/2016	BAAQMD Board Meeting	San Francisco	Regional Air Quality Issues
12/16/2015	CCTA Board Meeting	Walnut Creek	Regional Transportation Issues
12/17/2015	Meeting w/Secretary Laird	Sacramento	Water Advocacy

Supervisor Candace Andersen – Monthly Meeting Report *December 2015*

Date	Meeting	Location
1-4	CSAC Conference	Monterey
7	O & S	Danville
7	TWIC	Martinez
8	Board of Supervisors	Martinez
9	CCCERA	Concord
9	LAFCO	Martinez
9	Mental Health Commission	Concord
10	East Bay EDA	Oakland
10	CCCSWA	Walnut Creek
11	JCC	Martinez
14	Family & Human	Martinez
15	Board of Supervisors	Martinez
16	CCCERA	Concord
17	CCCTA	Concord

Supervisor Mary Nejedly Piepho - December 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
1-Dec	CSAC Conference	Monterey	Business Meeting
2-Dec	CSAC Conference	Monterey	Business Meeting
3-Dec	CSAC Conference	Monterey	Business Meeting
4-Dec	CSAC Conference	Monterey	Business Meeting
7-Dec	Meeting with Supervisor Karen Mitchoff, Brentwood City Manager, Gus Vina and East Contra Costa Fire Protection Advisory Board Members	Concord	Business Meeting
7-Dec	Meeting with Alvaro Fuentes, Community Clinic Consortium	Martinez	Business Meeting
7-Dec	Meeting with Fire Chief Jeff Carman, Contra Costa Fire Protection District	Martinez	Business Meeting
7-Dec	Transportation, Water & Infrastructure Committee Meeting	Martinez	Business Meeting
7-Dec	Meeting with County Administrator, David Twa	Martinez	Business Meeting
7-Dec	Meeting with Director of County Airports, Keith Freitas	Martinez	Business Meeting
7-Dec	East Contra Costa Fire Protection District Meeting	Oakley	Business Meeting
8-Dec	Board of Supervisors Meeting	Martinez	Business Meeting
8-Dec	Housing Authority Meeting	Martinez	Business Meeting
8-Dec	Contra Costa County Fire Protection District Meeting	Martinez	Business Meeting
9-Dec	Los Arboles Children's Center Tour	Oakley	Community Outreach
9-Dec	Phone Meeting with Fire Commissioner, Ed Haines	Brentwood	Business Meeting
9-Dec	Speaking Engagement at East Bay Republican Womens Club	Discovery Bay	Community Outreach
9-Dec	LAFCO Meeting	Martinez	Business Meeting
10-Dec	Meeting with Elaine Welch, Executive Director of Mobility Matters	Martinez	Business Meeting

10-Dec	Meeting with San Ramon Valley Fire Protection District	Martinez	Business Meeting
10-Dec	East Contra Costa Regional Fee & Finance Authority Meeting	Antioch	Business Meeting
10-Dec	State Route 4 Bypass Authority	Antioch	Business Meeting
10-Dec	Transplan Meeting	Antioch	Business Meeting
11-Dec	Delta Areawide Technical Planning Meeting	Davis	Business Meeting
14-Dec	Phone Meeting with Executive Director, Erik Vink, Delta Protection Commission	Brentwood	Business Meeting
14-Dec	East Contra Costa County Habitat Conservancy Meeting	Pittsburg	Business Meeting
14-Dec	* Phone Meeting with Delta Stewardship Council	Brentwood	Business Meeting
14-Dec	Meeting with County Staff and Contra Costa Transportation Authority	Brentwood	Business Meeting
14-Dec	District III Holiday Open House	Brentwood	Community Outreach
14-Dec	District III Holiday Dinner	Brentwood	Business Meeting
15-Dec	Board of Supervisors Meeting	Martinez	Business Meeting
15-Dec	Constituent Meeting	Pleasant Hill	Business Meeting
16-Dec	Tri Delta Transit Meeting	Antioch	Business Meeting
17-Dec	* Delta Stewardship Council Meeting	Sacramento	Business Meeting
17-Dec	Contra Costa County Fire Commissioners Association Dinner	Concord	Community Outreach

* Reimbursement may come from an agency other than Contra Costa County



Contra
Costa
County

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Date: January 19, 2016

Subject: Resolution recognizing Andy and Wendy Scheck selected as the 2016 Lafayette "Marquis" Business Persons of the Year.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016**

☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Stephanie L. Mello, Deputy

Contact: Lauri Byers (925) 957-8860

cc:

ATTACHMENTS

Resolution No.

2016/38

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

In the matter of:

Resolution No. 2016/38

Recognizing Andy and Wendy Scheck as Lafayette's 2016 "Marquis" Business Persons of the year.

Whereas, Andy and Wendy Scheck are the publishers of the Lamorinda Weekly, a local newspaper they started in 2007; and

Whereas, at a time when it seemed like printed news would become extinct, the Schecks started a small business providing a traditional way of getting local news that is still appreciated by many in our technology driven world; and

Whereas, Andy and Wendy Scheck provide the Lamorinda Weekly free to the citizens of Lafayette, Moraga, and Orinda, providing important and timely information on issues facing the Lamorinda area; and

Whereas, the content is well written, interesting, and local to Lafayette, Moraga and Orinda, with comprehensive and relevant information for the readers, including local sports, municipal coverage, details of what is happening in the area's schools, and features that focus specifically on life in Lamorinda; and

Whereas, Andy also serves as an active member in the Rotary Club of Lafayette and he and Wendy participate in many events supporting the Lamorinda community.

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County does hereby honor Andy & Wendy Scheck for their dedication to the residents of Lamorinda.

CANDACE ANDERSEN

Chair,
District II Supervisor

JOHN GIOIA
District I 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: January 19, 2016

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: Stephen Baiter, Workforce Development Board Director
Date: January 19, 2016

Subject: Recognizing the contributions of the Workforce Development Board

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Stephanie L. Mello, Deputy

Contact: Stephen Baiter 602-6820

cc:

ATTACHMENTS

Resolution No.
2016/42

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

In the matter of:

Resolution No. 2016/42

IN THE MATTER OF RECOGNIZING MEMBERS OF THE WORKFORCE DEVELOPMENT BOARD OF CONTRA COSTA COUNTY UNDER THE WORKFORCE INVESTMENT ACT (WIA) OF 1998 FOR OUTSTANDING VOLUNTEER SERVICE.

WHEREAS, Workforce Development Board members have consistently provided outstanding volunteer service to Contra Costa County and its many programs and initiatives; and
WHEREAS, Workforce Development Board members have effectively represented the needs and interests of a diverse range of constituencies of the Workforce Development Board of Contra Costa County; and
WHEREAS, Workforce Development Board members have supported the Workforce Development Board of Contra Costa County through efforts in the community and the larger workforce development system; and
WHEREAS, the Workforce Development Board of Contra Costa County has been most fortunate to have had people of such capabilities and dedication providing this loyal service; and
WHEREAS, Workforce Development Board members are being honored with their peers who have been members of the Workforce Development Board at the occasion of the Board of Supervisors meeting on January 19, 2016

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors recognizes Workforce Development Board members for their many contributions to the Workforce Development Board of Contra Costa County under the Workforce Investment Act of 1998 and congratulates them for their contributions toward the many endeavors the Workforce Development Board undertook to support the overall well-being and economic vitality of our county, its businesses, and its residents.

CANDACE ANDERSEN

Chair,
District II Supervisor

JOHN GIOIA

District I 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: January 19, 2016

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: January 19, 2016

Subject: Property Tax Administrative Cost Recovery

RECOMMENDATION(S):

1. RECEIVE the 2015-2016 report of the Auditor-Controller that contains the property tax-related costs of the Assessor, Tax Collector, Auditor and Assessment Appeals Board for the 2014-2015 fiscal year, as required by Resolution No. 97/129;
2. FIX March 1, 2016 at 9:30 a.m. for a public hearing on the determination of property tax administrative costs;
3. DIRECT the Clerk of the Board to notify affected local jurisdictions of the public hearing; and
4. DIRECT the Clerk of the Board to prepare and publish the required legal notice and make supporting documentation available for public inspection.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ 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: January 19, 2016

Contact: Lisa Driscoll (925)
335-1023

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

By: , Deputy

cc: Robert Campbell, County Auditor-Controller

FISCAL IMPACT:

None. The report details the property tax-related costs of the County in fiscal year 2014-2015 in order to determine the amount of cost recovery in fiscal year 2015-2016. The determination of the property tax administrative costs will occur at the hearing on March 1, 2016.

BACKGROUND:

In 1997, the Board of Supervisors 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:

If the hearing is not set to consider and adopt the finding of property tax costs, the costs cannot be recovered, resulting in a loss of General Fund revenue in the current fiscal year.

ATTACHMENTS

2015-16 Property Tax Administrative Cost Recovery report

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 5, 2016

TO: Contra Costa County Board of Supervisors
FROM: Robert Campbell, Auditor-Controller 
SUBJECT: **2015-2016 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 2015-16 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 2014-15 fiscal year. Also included are all offsetting revenues received by the County for providing property tax related services. The 2014-15 net cost of property tax administration was \$14,713,471. This amounts to approximately .62% of all 2014-15 property taxes levied countywide.

Attachment II allocates the \$14,713,471 net cost to each incorporated city and to each local jurisdiction receiving property tax revenues during the 2015-16 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 \$7,133,547.

CONTRA COSTA COUNTY

AUDITOR-CONTROLLER'S REPORT

on

2015-2016 Property Tax Administration Charges

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9	Revenue Offsets
10	Allocation of Cost to Taxing Agencies

CONTRA COSTA COUNTY

2015-2016 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 2015-16 Fiscal Year shall be based on the 2014-15 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	\$ 14,927,133	
Tax Collector	3,297,333	
Auditor-Controller	1,438,457	
Assessment Appeals Board	<u>88,053</u>	
Total		\$19,750,976

Overhead Cost per Circular A-87:

Assessor	\$ 631,772	
Tax Collector	413,803	
Auditor-Controller	<u>71,944</u>	
Total		\$1,117,519

Less: Fees Received for Property Tax Related Services:

County General	\$ 2,480,795	
Assessor	383,235	
Tax Collector	2,293,967	
Auditor-Controller	<u>997,027</u>	
Total		<u>\$6,155,024</u>

**Net Property Tax Administration Cost,
2015-2016 Fiscal Year**

\$14,713,471

CONTRA COSTA COUNTY

2015-2016 Property Tax Administration Charges

ASSESSOR'S DEPARTMENT

<u>DIRECT AND INDIRECT DEPARTMENTAL COST</u>		<u>ACTUAL 2014-2015</u>
Salaries & Employee Benefits	\$	12,752,316
Services & Supplies		2,375,514
Fixed Assets		0
Other Charges		0
		<hr/>
Gross Cost	\$	15,127,830
Less:		
* Intrafund Transfers		(200,697)
Fixed Assets		0
		<hr/>
TOTAL ASSESSOR COST	\$	14,927,133
LESS: ASSESSOR REVENUE OFFSETS		<hr/> (383,235)
NET ASSESSOR DEPARTMENT COST		<hr/> 14,543,898 <hr/>

CONTRA COSTA COUNTY

2015-2016 Property Tax Administration Charges

TREASURER-TAX COLLECTOR'S DEPARTMENT

	DIRECT AND <u>INDIRECT DEPARTMENTAL COST</u>	ACTUAL <u>2014-2015</u>
Salaries & Employee Benefits		\$ 3,238,879
Services & Supplies		1,438,489
Other Charges		7,784
Fixed Assets		<u>6,123</u>
Gross Cost		\$ 4,691,275
Less:		
* Fixed Assets		6,123
Intrafund transfers		1,235
Treasury Function Costs		(1,262,557)
Business License Program		<u>(138,744)</u>
TOTAL TAX COLLECTOR COST		\$ 3,297,333
 LESS: TAX COLLECTOR REVENUE OFFSETS		 \$ <u>(2,293,967)</u>
 NET TAX COLLECTOR COST		 \$ <u>1,003,366</u>

* Fixed asset costs included in the A-87 allocation are excluded from direct costs.

CONTRA COSTA COUNTY

2015-2016 Property Tax Administration Charges

AUDITOR-CONTROLLER'S DEPARTMENT

PROPERTY TAX FUNCTION - DIRECT AND <u>INDIRECT DEPARTMENTAL COSTS</u>	ACTUAL <u>2014-2015</u>
Salaries & Employee Benefits	\$ 737,742
Information Technology Costs	430,020
Other Services and Supplies	73,493
Accounts Payable - Supplemental & Other Tax Refunds	4,164
Department Overhead Allocation	<u>193,038</u>
GROSS PROPERTY TAX FUNCTION COSTS	\$ 1,438,457
LESS: TOTAL PROPERTY TAX FUNCTION REVENUE OFFSETS	\$ <u>(997,027)</u>
NET AUDITOR-CONTROLLER COST	\$ <u>441,430</u>

CONTRA COSTA COUNTY

2015-2016 Property Tax Administration Charges

ASSESSMENT APPEALS BOARD

<u>DIRECT AND INDIRECT COSTS</u>	<u>ACTUAL</u> <u>2014-2015</u>
Clerk of the Board	\$ 70,716
Assessment Appeals Board - allowances and postage	15,662
County Counsel	<u>1,675</u>
TOTAL ASSESSMENT APPEALS BOARD COSTS	\$ <u><u>88,053</u></u>

CONTRA COSTA COUNTY

2015-2016 Property Tax Administration Charges

FEDERAL A-87 OVERHEAD ALLOCATION

<u>Department</u>	A-87 Plan 2014-2015 <u>Actual</u>	Percent Property Tax <u>Related</u>	Net to <u>Allocate</u>
Assessor	\$ 631,772	100%	\$ 631,772
Tax Collector	413,803	70%	289,662
Auditor-Controller(Tax Division)	<u>71,944</u>	100%	<u>71,944</u>
TOTALS	\$ <u>1,117,519</u>		\$ <u>993,378</u>

CONTRA COSTA COUNTY

2015-2016 Property Tax Administration Charges

REVENUE OFFSETSCounty General

0005 9608 Supplemental Tax Administration Fees	\$	<u>2,480,795</u>	
			\$ 2,480,795

Assessor

0016 1600 Administration		857,598	
1600 Excludable revenues (Direct credits and non-property tax related revenues)		(730,000)	
0016 1605 Drafting		6,306	
1610 Appraisal		0	
1647 Roll Maintenance		<u>249,330</u>	
			\$ 383,235

Tax Collector

0015 Tax Collector Revenue		3,081,312	
Excludable revenues (Direct credits and non-property tax related revenues)		<u>(787,345)</u>	
			\$ 2,293,967

Auditor-Controller

0010 1004 Tax & Cost Accounting Division Revenue		1,312,731	
Excludable revenues (Direct credits and non-property tax related revenues)		<u>(315,704)</u>	
			\$ 997,027

TOTAL REVENUE OFFSETS			\$ <u><u>6,155,023</u></u>
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**CONTRA COSTA COUNTY
2015-2016 ADMINISTRATIVE COST ALLOCATION**

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2015-2016 AB 8 Allocation	2015-2016 Unitary Allocation	2015-2016 Pass-thru H&S 33676	Net Revenue	2015-2016 Adj. Allocation Factors	14,713,471 to Allocate
		(1)	(2)	(3)	(4)	(5)	(6)
<u>GENERAL COUNTY JURISDICTION</u>							
1003	County General	204,478,202	6,064,653	312,926	210,855,781	0.1205263151193	1,773,359
<u>COUNTY GOVERNED SPECIAL DISTRICTS</u>							
1206	County Library	23,101,005	381,449	32,106	23,514,560	0.0134410506025	197,765
2020	Contra Costa Fire	95,146,483	1,065,907	80,914	96,293,304	0.0550417777883	809,856
2028	Crockett Carquinez Fire	457,663	8,625	0	466,288	0.0002665327251	3,922
3060	East Contra Costa Fire	10,931,098	83,638	0	11,014,736	0.0062960831878	92,637
2401	Service Area L-100	751,229	15,147	30,661	797,037	0.0004555905725	6,703
2470	Service Area M-1	24,995	1,103	0	26,098	0.0000149178221	219
2475	Service Area M-29	93,234	589	0	93,823	0.0000536294529	789
2488	Service Area M-16 Clyde	25,575	209	0	25,784	0.0000147383380	217
2489	Service Area M-17 Montalvir	156,363	1,736	0	158,100	0.0000903705769	1,330
2492	Service Area M-20 Rodeo	10,539	117	0	10,656	0.0000060908048	90
2494	Svc Area RD4Bethel Isle	6,558	100	0	6,658	0.0000038057205	56
2496	Svc Area M23 Blackhawk	2,006,552	15,844	0	2,022,396	0.0011560126802	17,009
2505	Flood Control CCC Water	2,886,222	48,001	3,767	2,937,990	0.0016793709379	24,709
2520	Flood Control Zone 3B	4,782,472	55,997	0	4,838,469	0.0027656954357	40,693
2521	Flood Cont Z1 Marsh Crk	1,651,166	15,229	0	1,666,395	0.0009525205490	14,015
2527	Flood Control Zone 7	54,548	1,057	2,293	57,899	0.0000330951443	487
2530	Flood Control Zone 8	17,213	394	0	17,607	0.0000100641201	148
2531	Flood Control Zone 8A	22,219	337	0	22,557	0.0000128934756	190
2550	Flood Cont Drainage 290	1,780	21	0	1,802	0.0000010297529	15
2551	Flood Cont Drainage 300	4,287	42	0	4,329	0.0000024743714	36
2552	Flood Cont Drainage A13	286,318	2,390	0	288,709	0.0001650275254	2,428
2554	Flood Cont Drainage 10	312,742	2,493	0	315,235	0.0001801902290	2,651

**CONTRA COSTA COUNTY
2015-2016 ADMINISTRATIVE COST ALLOCATION**

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2015-2016 AB 8 Allocation	2015-2016 Unitary Allocation	2015-2016 Pass-thru H&S 33676	Net Revenue	2015-2016 Adj Allocation Factors	14,713,471 to Allocate
		(1)	(2)	(3)	(4)	(5)	(6)
2563	Flood Cont Drainage 127	11,997	184	0	12,182	0.0000069630862	102
2583	Flood Cont Drainage 16	73,161	627	0	73,788	0.0000421774462	621
2652	S/A Pl 2 Danville	355	69	0	424	0.0000002423493	4
2653	S/A Pl-2 Zone A	134,504	1,040	0	135,544	0.0000774777414	1,140
2655	S/A Pl 5 Round Hill	231,173	1,706	0	232,878	0.0001331145241	1,959
2656	S/A Police-6	3,704,987	1,054,910	0	4,759,896	0.0027207827774	40,032
2657	S/A Pl-2 Zone B	172,140	1,738	0	173,878	0.0000993895450	1,462
2702	S/A Lib-2 El Sobrante	96,849	1,917	0	98,766	0.0000564554417	831
2710	S/A Lib-10 Pinole	1,112	15	0	1,127	0.0000006439364	9
2712	S/A Lib-12 Moraga	9,744	279	0	10,023	0.0000057292301	84
2713	S/A Lib-13 Ygnacio	126,538	1,303	0	127,841	0.0000730746475	1,075
2751	Svc Area R-4 Moraga	28,455	814	0	29,269	0.0000167303944	246
2758	Svc Area R-7 Zone A	995,414	9,525	0	1,004,939	0.0005744285244	8,452
2825	Co Co Co Water Agency	548,912	9,869	971	559,752	0.0003199571603	4,708
							<u>1,276,690</u>

AUTONOMOUS SPECIAL DISTRICTS

3005	San Ramon Valley Fire	59,954,838	845,987	309,495	61,110,319	0.0349309920388	513,956
3007	Kensington Fire	3,401,731	22,815	0	3,424,546	0.0019574892138	28,801
3011	Rodeo-Hercules Fire	2,807,978	54,600	0	2,862,577	0.0016362646957	24,075
3074	Moraga-Orinda Fire District	20,281,435	163,719	0	20,445,154	0.0116865617335	171,950
3102	Co Co Resource Cons	233,332	4,124	890	238,346	0.0001362398741	2,005
3255	Kensington Community Svc	1,531,414	11,113	0	1,542,527	0.0008817167757	12,973
3260	Diablo Community Svc	388,520	2,508	0	391,028	0.0002235138356	3,289
3301	CCC Mosquito Abate Dst1	4,362,550	82,187	1,698	4,446,436	0.0025416068508	37,396
3406	Central CC Sanitary	14,583,920	244,909	37,419	14,866,248	0.0084976283769	125,030

CONTRA COSTA COUNTY
2015-2016 ADMINISTRATIVE COST ALLOCATION

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2015-2016 AB 8 Allocation	2015-2016 Unitary Allocation	2015-2016 Pass-thru H&S 33676	Net Revenue	2015-2016 Adj Allocation Factors	14,713,471 to Allocate
		(1)	(2)	(3)	(4)	(5)	(6)
3409	Mt View Sanitary	336,211	6,654	0	342,865	0.0001959837849	2,884
3411	Ironhouse Sanitary	236,338	4,750	0	241,088	0.0001378074964	2,028
3414	Rodeo Sanitary	231,734	4,399	0	236,132	0.0001349744311	1,986
3416	West Co Wastewater	995,477	15,347	5,457	1,016,281	0.0005809117306	8,547
3418	Stege Sanitary	379,373	4,448	0	383,821	0.0002193940693	3,228
3422	Byron Sanitary	34,036	649	0	34,685	0.0000198259180	292
3240	Crockett-Valona Sanitary	290,288	8,462	0	298,750	0.0001707672444	2,513
3430	Twn of Discovery Bay (Comr	568,509	5,025	0	573,533	0.0003278347866	4,824
3480	Delta Diablo Z1 W Pittsburg	327,209	11,680	75,544	414,433	0.0002368922442	3,486
3481	Delta Diablo Z2 Pittsburg	443,779	4,876	60	448,715	0.0002564877652	3,774
3482	Delta Diablo Z3 Antioch	1,045,166	14,340	0	1,059,506	0.0006056191307	8,911
3515	Los Medanos Healthcare	727,044	90,859	20,273	838,175	0.0004791054035	7,049
3520	Mt Diablo Healthcare	248,259	1,730	0	249,989	0.0001428949564	2,102
3525	West CCC Healthcare	3,266,292	49,268	0	3,315,560	0.0018951921987	27,885
3601	Alamo-Lafayette Cemetery	279,920	3,089	0	283,008	0.0001617691400	2,380
3603	B B K Union Cemetery	501,618	5,945	0	507,563	0.0002901256203	4,269
3700	Ambrose Rec & Park	432,201	13,860	63,168	509,229	0.0002910780350	4,283
3715	Green Valley Rec & Park	48,586	384	0	48,971	0.0000279919022	412
3735	Pleasant Hill Rec & Park	2,993,608	39,884	902	3,034,393	0.0017344757845	25,520
3740	Rolling-Willart Rec&Park	26,323	325	0	26,648	0.0000152323023	224
3770	Bethel Isle Muni Imp	417,362	7,027	0	424,389	0.0002425830795	3,569
3803	Co Co Co Water	2,497,149	82,200	5,162	2,584,511	0.0014773208529	21,737
3830	Castle Rock Co Water	12,993	107	0	13,100	0.0000074882373	110
4001	East Bay Muni Utility	12,925,587	180,785	50,109	13,156,480	0.0075203159561	110,650
4002	EBMUD Special District 1	354,858	3,319	0	358,176	0.0002047356018	3,012
4007	A-C Transit Spec Dist 1	7,998,283	110,316	0	8,108,599	0.0046349195585	68,196

**CONTRA COSTA COUNTY
2015-2016 ADMINISTRATIVE COST ALLOCATION**

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2015-2016 AB & Allocation	2015-2016 Unitary Allocation	2015-2016 Pass-thru H&S 33676	Net Revenue	2015-2016 Adj Allocation Factors	14,713,471 to Allocate (6)
		(1)	(2)	(3)	(4)	(5)	
4009	BART	10,403,271	170,632	17,281	10,591,183	0.0060539780333	89,075
4010	Bay Area Air Management	3,032,400	49,742	0	3,082,142	0.0017617689390	25,922
4025	Dublin San Ramon Svcs	596,974	1,735	0	598,709	0.0003422255256	5,035
4026	East Bay Regional Park	44,648,310	764,171	41,630	45,454,111	0.0259818178096	382,283
4110	Reclamation Dist 800 Exp	789,153	8,082	0	797,235	0.0004557039390	6,705
4111	Discovery Bay Recl/Drng	44,366	449	0	44,815	0.0000256162756	377
4180	East Co Co Irrigation	2,691,168	25,087	0	2,716,255	0.0015526260248	22,845
4181	Byron-Bethany Irrigation	1,030,807	9,879	0	1,040,686	0.0005948618475	8,752
							<u>1,784,340</u>
CITIES & CITY SPECIAL DISTRICTS							
4201	City of Clayton	871,579	13,145	57,505	942,229	0.0005385832605	7,924
4202	City of Concord	12,880,824	197,378	0	13,078,202	0.0074755714755	109,992
4203	City of Brentwood	8,778,576	59,558	22,430	8,860,564	0.0050647465469	74,520
4204	City of San Pablo	329,187	11,722	0	340,909	0.0001948651988	2,867
4205	City of El Cerrito	6,728,518	75,867	0	6,804,385	0.0038894233139	57,227
4206	City of Walnut Creek	13,732,652	194,802	0	13,927,454	0.0079610087298	117,134
4207	City of Pleasant Hill	2,710,381	22,268	0	2,732,649	0.0015619973020	22,982
4208	City of Martinez	7,616,030	114,641	0	7,730,671	0.0044188937715	65,017
4209	City of Antioch	9,706,379	134,884	0	9,841,263	0.0056253196751	82,768
4210	City of Pittsburg	3,361,768	52,512	0	3,414,280	0.0019516211408	28,715
4211	City of Hercules	1,081,438	31,213	0	1,112,651	0.0006359972056	9,358
4212	City of Pinole	2,054,986	26,689	0	2,081,675	0.0011898967772	17,508

CONTRA COSTA COUNTY
2015-2016 ADMINISTRATIVE COST ALLOCATION

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2015-2016 AB 8 Allocation	2015-2016 Unitary Allocation	2015-2016 Pass-thru H&S 33676	Net Revenue	2015-2016 Adj Allocation Factors	14,713,471 to Allocate
		(1)	(2)	(3)	(4)	(5)	(6)
4213	Richmond Tax District 1	24,088,855	450,715	0	24,539,571	0.0140269524659	206,385
4214	City of Lafayette	4,195,010	26,671	0	4,221,681	0.0024131358608	35,506
4215	Town of Moraga	1,910,566	22,655	0	1,933,221	0.0011050397922	16,259
4216	Town of Danville	8,479,638	75,887	0	8,555,526	0.0048903851274	71,955
4217	City of San Ramon	13,756,758	289,819	0	14,046,576	0.0080290996293	118,136
4218	City of Orinda	4,299,251	46,454	0	4,345,705	0.0024840285931	36,549
4219	City of Oakley	2,113,140	14,242	35,605	2,162,987	0.0012363752458	18,191
4227	Richmond Tax District 3	7,878,895	101,419	0	7,980,314	0.0045615910611	67,117
4230	Richmond Sewer 1	215,250	3,748	0	218,997	0.0001251800631	1,842
4231	Brentwood Rec & Park Dist	1,780,696	11,055	0	1,791,751	0.0010241749283	15,069
4232	San Ramon M-29	2,680,850	7,809	0	2,688,658	0.0015368518578	22,612
4240	Pleasant Hill Lgt Dist 1	454,707	4,126	0	458,833	0.0002622716751	3,859
4241	Svc Area R-8 Walnut Creek	560,640	6,049	0	566,690	0.0003239228561	4,766
4248	Clayton Light Mtce 1	33,328	367	0	33,696	0.0000192606460	283
4252	Martinez Pine Ridge Mtce	6,293	73	0	6,366	0.0000036387546	54
4253	Martinez Parking Dist 1	49,571	547	0	50,117	0.0000286474193	422
4263	Lafayette Core Area Mtc	62,966	2,441	0	65,407	0.0000373869581	550
4264	Lafayette St Lt Mtce Z1	8,586	65	0	8,651	0.0000049449702	73
4271	Concord Vly Terr StLtMtc	2,954	36	0	2,989	0.0000017087974	25
4272	Concord Kirkwood Mtce 1	49,971	467	0	50,438	0.0000288305846	424
4274	Concord Blhn Terr St Lt	790	13	0	804	0.0000004594736	7
4275	Pl Hill-Diablo Vista Wtr	179,738	1,458	0	181,195	0.0001035722279	1,524
4280	Antioch Parking Mtce 1A	32,364	374	0	32,738	0.0000187132252	275
4285	Moraga St Lt Mtce 1	145,828	1,078	0	146,906	0.0000839720311	1,236
4294	Oakley Police Services	368,902	1,445	0	370,348	0.0002116927604	3,115
							<u>1,222,246</u>

CONTRA COSTA COUNTY
2015-2016 ADMINISTRATIVE COST ALLOCATION

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2015-2016 AB 8 Allocation	2015-2016 Unitary Allocation	2015-2016 Pass-thru H&S 33676	Net Revenue	2015-2016 Adj Allocation Factors	14,713,471 to Allocate
		(1)	(2)	(3)	(4)	(5)	(6)
REDEVELOPMENT SUCCESSOR AGENCIES							
4701	Antioch	3,986,783	130,508	0	4,117,292	.0023534664416	34,628
4702	Antioch Project 2	878,987	5,023	0	884,010	.0005053047738	7,435
4703	Antioch Project 3	39,530	360	(13,001)	26,889	.0000153697905	226
4704	Antioch Project 4	571,137	8,448	(49,174)	530,410	.0003031852445	4,461
4705	Antioch Project 4, Amd 1	473,466	3,231	(21,207)	455,490	.0002603605637	3,831
4706	Brentwood Project	1,990,543	22,642	0	2,013,184	.0011507472165	16,931
4707	Brentwood Amendment 1	631,087	9,427	0	640,514	.0003661214231	5,387
4708	North Brentwood	3,889,435	16,030	(24,325)	3,881,141	.0022184811443	32,642
4709	North Brtwd Amnd 2	224,230	936	0	225,166	.0001287061828	1,894
4710	Central Concord	13,992,637	798,605	0	14,791,242	.0084547545895	124,399
4711	Concord Commerce	568,554	8,911	0	577,465	.0003300818820	4,857
4712	Cent Concord RDA Amnd	708,414	1,344	0	709,758	.0004057017914	5,969
4714	Clayton	6,247,228	31,840	(109,549)	6,169,519	.0035265309529	51,888
4716	Hercules Dynamite	6,206,972	55,902	0	6,262,875	.0035798932889	52,673
4717	Hercules RDA Proj 2	4,450,144	19,120	0	4,469,264	.0025546555974	37,588
4718	Hercules Merged Dyn & Pro	0	0	0	0	.0000000000000	0
4720	El Cerrito	6,212,462	68,091	0	6,280,552	.0035899980101	52,821
4721	El Cerrito Area II	1,748	84	0	1,832	.0000010472784	15
4725	Pinole Vista	6,395,910	74,376	0	6,470,286	.0036984509769	54,417
4726	Pinole Vista 81	3,981,952	37,117	0	4,019,070	.0022973221705	33,802
4728	Oakley RDA Proj 2	109,510	511	0	110,021	.0000628887297	925
4730	Pittsburg Marina	1,593	1,299	0	2,892	.0000016529687	24
4731	Pittsburg Riverside	421,327	6,172	0	427,498	.0002443603038	3,595
4732	Pittsburg Neighborhood I	1,226,252	10,564	0	1,236,815	.0007069704027	10,402
4733	Pittsburg Neighborhood II	527,814	6,275	0	534,089	.0003052881466	4,492

**CONTRA COSTA COUNTY
2015-2016 ADMINISTRATIVE COST ALLOCATION**

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2015-2016 AB 8 Allocation	2015-2016 Unitary Allocation	2015-2016 Pass-thru H&S 33676	Net Revenue	2015-2016 Adj Allocation Factors	14,713,471 to Allocate
		(1)	(2)	(3)	(4)	(5)	(6)
4734	Pittsburg/Los Medanos I	23,953,580	364,361	0	24,317,942	.0139002682803	204,521
4735	Pittsburg/Los Medanos II	3,567,048	63,186	0	3,630,233	.0020750612483	30,531
4736	Pittsburg/Los Medanos III	12,149,311	46,133	0	12,195,444	.0069709820887	102,567
4737	Richmd 8A RDA 2000 Amnc	1,036,875	4,810	0	1,041,686	.0005954331672	8,761
4738	Richmd 10A RDA 2000 Amr	793,701	2,178	0	795,879	.0004549286419	6,694
4739	Richmd 1A RDA 2000 Amnc	140,299	426	0	140,724	.0000804388292	1,184
4740	Richmond 1A	438,614	10,286	0	448,900	.0002565936208	3,775
4741	Richmond 8A	560,335	8,436	0	568,771	.0003251126700	4,784
4742	Richmond 10A	796,009	20,513	0	816,522	.0004667283905	6,867
4743	Richmond 10B	69,695	2,794	0	72,488	.0000414348164	610
4744	Richmond 11A	11,788,311	70,863	0	11,859,174	.0067787687392	99,739
4745	Richmond 12A	82,008	1,481	0	83,489	.0000477225679	702
4746	Richmond 8A Henley	55,673	628	0	56,301	.0000321817530	474
4747	Richmond 1B	116,994	745	0	117,739	.0000673003920	990
4748	Richmond 1C-Potrero	1,046,798	6,795	0	1,053,592	.0006022391304	8,861
4749	Richmond 3A	957,913	5,519	0	963,431	.0005507026623	8,103
4750	Walnut Creek-So Broadway	1,252,252	10,257	0	1,262,509	.0007216570618	10,618
4751	Walnut Creek-Mt Diablo	0	13,467	0	13,467	.0000076979936	113
4752	Richmd 6A RDA 2000 Amnc	63,887	132	0	64,019	.0000365934954	538
4753	Richmd 10B RDA 2000 Amr	14,725	102	0	14,827	.0000084753999	125
4754	Richmond 6-A Amend 1	133,234	1,019	0	134,253	.0000767395930	1,129
4755	Richmond 6-A	545,058	3,422	0	548,480	.0003135143608	4,613
4756	Danville Downtown	2,991,870	29,101	(324,093)	2,696,879	.0015415506032	22,682
4757	Richmd 11A RDA 2000 Amr	379,102	728	0	379,830	.0002171128034	3,194
4758	Richmd 10B RDA 2006 Amr	1,538,877	8,861	0	1,547,738	.0008846953431	13,017
4760	San Pablo-So Entrance	380,339	6,772	0	387,112	.0002212751714	3,256

**CONTRA COSTA COUNTY
2015-2016 ADMINISTRATIVE COST ALLOCATION**

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2015-2016 AB & Allocation	2015-2016 Unitary Allocation	2015-2016 Pass-thru H&S 33676	Net Revenue	2015-2016 Adj Allocation Factors	14,713,471 to Allocate
		(1)	(2)	(3)	(4)	(5)	(6)
4761	San Pablo-El Portal	2,490,151	42,065	0	2,532,216	.0014474284140	21,297
4762	San Pablo-El Portal 79	3,157,872	46,098	0	3,203,970	.0018314065743	26,946
4763	San Pablo-Oak Park	874,712	9,536	0	884,248	.00050544408331	7,437
4764	San Pablo-Sheffield	366,438	4,448	0	370,886	.0002120003356	3,119
4765	San Pablo-Bayview	1,892,283	18,966	0	1,911,249	.0010924805057	16,074
4766	San Pablo-El Portal 80	1,362,179	22,547	0	1,384,726	.0007915170059	11,646
4767	San Pablo-Oak Park 79	54,930	519	0	55,449	.0000316947795	466
4768	San Pablo-Bayview 80	132,553	665	0	133,218	.0000761480157	1,120
4769	San Pablo-Legacy RDA	1,463,959	6,174	0	1,470,133	.0008403359188	12,364
4770	Pleasant Hill Commons	3,213,029	23,810	0	3,236,838	.0018501945140	27,223
4771	Pleasant Hill Commons 1A	111,466	982	0	112,448	.0000642758389	946
4772	Plsnt Hill Schoolyard Anx	1,034,305	7,075	0	1,041,380	.0005952583531	8,758
4773	Plsnt Hill Comm 2001 Amnd	923,353	2,708	0	926,061	.0005293415492	7,788
4774	Pleasant Hill Commons 200:	0	0	0	0	.0000000000000	0
4775	Lafayette RDA	5,433,035	15,451	0	5,448,486	.0031143845443	45,823
4777	San Ramon	9,417,631	48,547	(887,113)	8,579,065	.0049038401311	72,153
4780	CoCoCo Pleasant Hill BART	8,764,583	47,332	0	8,811,915	.0050369386846	74,111
4781	CoCoCo West Pittsburg	3,145,729	20,500	(792,206)	2,374,023	.0013570042662	19,966
4782	CoCoCo North Richmond	2,263,652	12,299	(310,776)	1,965,175	.0011233045300	16,528
4783	CoCoCo PI H/BART Amnd 1	936,627	6,447	(9,992)	933,082	.0005333545968	7,847
4784	Oakley	3,316,974	19,189	(87,849)	3,248,314	.0018567542125	27,319
4785	Rodeo	2,298,598	11,068	(245,730)	2,063,936	.0011797573081	17,358
4786	CoCoCo Montalvin	384,821	1,632	0	386,452	.0002208981862	3,250
							1,523,289

Sub-Total: Recoverable Cost	5,806,565
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CONTRA COSTA COUNTY
2015-2016 ADMINISTRATIVE COST ALLOCATION

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2015-2016 AB 8 Allocation	2015-2016 Unitary Allocation	2015-2016 Pass-thru H&S 33676	Net Revenue	2015-2016 Adj Allocation Factors	14,713,471 to Allocate
		(1)	(2)	(3)	(4)	(5)	(6)
<u>SCHOOL DISTRICTS - EXEMPT FROM COST ALLOCATION</u>							
4016	Ed Phys Handic'd Elem	5,066	1,078	0	6,143	.0000035115209	52
4018	Livermore Jt Unified	242,519	51,270	0	293,790	.0001679316984	2,471
4020	Chabt-Las Positas Com Col	293,103	7,289	0	300,392	.0001717055577	2,526
4022	Dev Ctr Handi'd Minor	907	193	0	1,100	.0000006286117	9
4029	Trainable M.R. Alameda	2,285	486	0	2,771	.0000015839930	23
5001	Acalanes Union Hi Gen	38,320,434	406,003	0	38,726,437	.0221362425847	325,701
5101	Canyon Elementary Gen	65,232	1,074	0	66,306	.0000379009057	558
5201	Lafayette Elementary Gen	14,680,031	139,587	0	14,819,618	.0084709743059	124,637
5301	Moraga Elementary Gen	7,274,458	74,779	0	7,349,237	.0042008639301	61,809
5401	Orinda Elementary Gen	9,309,822	116,427	0	9,426,249	.0053880953568	79,278
5501	Walnut Creek General	18,618,457	198,871	0	18,817,328	.0107560872811	158,259
6001	Liberty Union Hi Gen	23,575,750	228,971	0	23,804,722	.0136069088136	200,205
6101	Brentwood Elem Gen	12,862,395	106,200	9,077	12,977,672	.0074181080704	109,146
6201	Byron Elementary Gen	3,949,797	46,410	5,318	4,001,525	.0022872932498	33,654
6301	Knighten Elementary Gen	1,332,066	20,245	3,794	1,356,105	.0007751569604	11,405
6401	Oakley Elementary Gen	9,707,435	96,576	0	9,804,011	.0056040261201	82,455
6901	County Schools Gen	26,239,898	436,433	71,273	26,747,603	.0152890759082	224,955
6999	ERAF K - 12	210,456,010	0	0	210,456,010	.1202978036125	1,769,998
7101	Antioch Unified Gen	28,231,365	777,234	63,100	29,071,699	.0166175417602	244,502
7201	John Swett General	6,408,876	138,749	110,823	6,658,447	.0038060047740	56,000
7401	Martinez Unified Gen	16,202,320	245,308	0	16,447,628	.0094015538537	138,329
7501	Mt Diablo Unified Gen	100,508,578	1,378,191	322,696	102,209,465	.0584234881374	859,612
7601	Pittsburg Unified Gen	5,037,451	1,110,481	14,775	6,162,706	.0035226365534	51,830
7701	West Co Co Unified Gen	61,654,365	865,948	129,222	62,649,535	.0358108161488	526,901

**CONTRA COSTA COUNTY
2015-2016 ADMINISTRATIVE COST ALLOCATION**

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2015-2016 AB 8 Allocation (1)	2015-2016 Unitary Allocation (2)	2015-2016 Pass-thru H&S 33676 (3)	Net Revenue (4)	2015-2016 Adj Allocation Factors (5)	14,713,471 to Allocate (6)
7801	San Ramon Valley Unif	134,476,985	1,768,377	681,288	136,926,651	.0782680205683	1,151,594
7901	Co Co Comm College Gen	76,279,818	1,238,969	255,382	77,774,168	.0444561390131	654,104
7999	ERAF Community College	31,334,636	0	0	31,334,636	.0179110487599	263,534
TOTALS		1,723,651,187	25,807,270	0	1,749,458,457	1.0000000000000	14,713,471
		Sub-Total: Exempt School Share					7,133,547



**Contra
Costa
County**

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: January 19, 2016

Subject: RESIGNATION FROM THE FIRST 5 CONTRA COSTA CHILDREN AND FAMILIES COMMISSION

RECOMMENDATION(S):

ACCEPT the resignation of the following person and DECLARE a vacancy of the District II Alternate Seat on the First 5 Contra Costa Children and Families Commission effective immediately, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Candace Andersen:

Belinda Lucey
35 Ashford Place
Moraga, CA 94556

FISCAL IMPACT:

None.

BACKGROUND:

The Contra Costa County Board of Supervisors established the First 5 Contra Costa Children and Families Commission on June 15, 1999 (Ordinance 99-15). The Board appointed nine Commission members and nine Alternate members on September 1, 1999. Members include one Supervisor from the County Board of Supervisors, the Director of Health Services and Employment and Human Services, and a representative from the County Administrator's Office of Children's Services. The other five members of the Commission are appointed by the Board of Supervisors and represent each Supervisorial District. Commissioners and Alternate Commission members represent various disciplines and backgrounds including pediatrics, early childhood education, child welfare, and schools. Alternate members, including second representatives from the Board of Supervisors, the county agencies mentioned above, and the five districts, hold all the powers of the appointed Commissioners except voting privileges.

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Jill Ray, 925-957-8860

CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain filled without the benefit of a member in attendance.



**Contra
Costa
County**

To: Board of Supervisors
From: Philip F. Kader, County Probation Officer
Date: January 19, 2016

Subject: Appropriation Adjustment SB678

RECOMMENDATION(S):

APPROVE Appropriations and Revenue Adjustment No. 5036 authorizing new revenue in the amount of \$318,299 in Community Corrections Performance Incentives Fund(0477) from the State of California and appropriating it for the provision of services for the adult felony probation population and authorizing new revenue in the amount of \$318,299 in Probation Programs (0308) and appropriate it for the addition of staff in the adult probation division.

FISCAL IMPACT:

This action increases revenue by \$318,299. 100% State; No match is required.

BACKGROUND:

The California Community Corrections Performance Incentive Act of 2009 (SB 678) established a system of performance-based funding that shares state General Fund savings with county probation departments when they demonstrate success in reducing the number of adult felony probationers going to state prison because of committing new crimes or violating the terms of probation. This measure is designed to help decrease California's prison admissions by reducing criminal behavior, and thus relieve prison overcrowding and save public funds. Based on a jurisdiction's success, measured by the reduction of felony probationers who are sent to prison, the state shares a portion of its savings achieved with those jurisdictions that are successful in reducing the number of felony probationers committed to state prison.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☐ 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: January 19, 2016

Contact: Danielle Fokkema
925-313-4195

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The new revenue and associated expenditures will not be properly recognized in the department operating budget.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Appropriation Adjustment No. 5036

CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT
T/C 24

ACCOUNT CODING		BUDGET UNIT: 0477 Community Corrections Performance Incentives Fund (CCPIF)			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
0477	9956	TRANSFERS - GOV/GOV	318,299	00	
3033	9951	REIMBURSEMENTS - GOV/GOV	318,299	00	
TOTALS			636,598	00	00

APPROVED

AUDITOR-CONTROLLER:

BY: *[Signature]* DATE 1/6/16

COUNTY ADMINISTRATOR:

BY: *[Signature]* DATE 1/12/16

BOARD OF SUPERVISORS:

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST

To appropriate revenue in FY 2015/16 Community Corrections Performance Incentives Fund (CCPIF).

Danielle Finkbeiner Chief of Admin Svcs

SIGNATURE TITLE DATE

REVENUE ADJ.
JOURNAL NO.

RA00

5036

1-6-16

CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☒ COUNTY ADMINISTRATOR

ACCOUNT CODING		BUDGET UNIT: 0477 Community Corrections Performance Incentives Fund (CCPIF)			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
0477	5011	REIMBURSEMENTS-GOV/GOV			318,299 00
3033	1011	PERMANENT SALARIES			318,299 00
TOTALS			0	00	636,598 00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY: [Signature] DATE 1/6/16

COUNTY ADMINISTRATOR:

BY: [Signature] DATE 1/12/16

BOARD OF SUPERVISORS:

YES:

NO:

To increase expenditure appropriations for FY 2015/16 Community Corrections Performance Incentives Fund (CCPIF).

Danielle Fokkema Chief of Admin Svcs
SIGNATURE TITLE DATE

APPROPRIATION APOO 5036 1-6-16
ADJ. JOURNAL NO.

BY: _____ DATE _____



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Approval to Purchase four vehicles for the Homeless Housing and Shelter Program

RECOMMENDATION(S):

Approve Appropriation Adjustment No. 5038 authorizing the transfer of \$110,000 from the Behavioral Health Homeless Program fund to the General Services fund for the purchase of one (1) Ford Escape Flex Fuel, one (1) Ford CMAX Hybrid, one (1) Ford Fusion Hybrid and one (1) Ford Transit Connect Van to expand services within the Homeless Housing and Shelter program.

FISCAL IMPACT:

The purchase of these automobiles will be funded by the Albertoni Trust Fund received by the Homeless Program. Allocation adjustments through a T/C 24 will facilitate the fund transfer to the proper disbursement account.

BACKGROUND:

Vehicles are required as part of the Homeless Program operations. Additional capacity is required to support the growing need for expanded services offered to consumers in the Homeless Housing and Shelter Program.

These vehicles will be used by case managers to deliver counseling and support services to consumers living in permanent supportive housing that is scattered throughout Contra Costa County.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☐ 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: January 19, 2016

Contact: Cynthia Belon,
957-5202

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

By: , Deputy

cc: T Scott, M Wilhelm, Rick Berbano

BACKGROUND: (CONT'D)

Additionally they can transport consumers to appointments such as medical and behavioral health appointments, as well to activities such as grocery shopping that teach life skills. The van will be used at the shelters to transport multiple consumers to their medical or housing appointments.

CONSEQUENCE OF NEGATIVE ACTION:

Vehicles are required to coordinate the consumer's system of care, and transportation is a part of their case plans. Homeless consumers have a lack of resources and a complexity of need that often require counseling and transportation support to meet their activities of daily living.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

TC 24/27 No. 5038

FINAL APPROVAL NEEDED BY:

CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT /
ALLOCATION ADJUSTMENT

T/C 27

☒ BOARD OF SUPERVISORS
☐ COUNTY ADMINISTRATOR
☐ AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT : Behavioral Health - Homeless Program (0403)			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE	
5731	2310	Non Cnty Prof./Spcltd. Svcs	425,688.00	110,000	
5734	5011	Reimbursement Gov/Gov		315,688	
5734	2340	Other Int'Dep'tm'l Chgs		110,000	
4284	4953	Autos & Trucks			
TOTALS			425,688.00	535,688.00	

APPROVED

AUDITOR-CONTROLLER:

BY: *Colleen* DATE 11/12/15

COUNTY ADMINISTRATOR:

BY: *Erin Munday* DATE 11/12/16

BOARD OF SUPERVISORS:

YES:

NO:

EXPLANATION OF REQUEST:

To transfer appropriation from Homeless program for the purchase of one Ford Escape Flex Fuel, one Ford CHAUX Hybrid, one Ford Fusion Hybrid and one Ford Transit Connected Van for client transportation to their medical and housing needs

Transfer Albertoni Funds from Admin to 5734 Albertoni cost center

 PAYING OFFICER: *[Signature]* BH/FINANCE MANAGER DATE 12/16/2015
 SIGNATURE TITLE

 APPROPRIATION APOO 5038
 ADJ. JOURNAL NO.

BY: _____ DATE _____

CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT/
ALLOCATION ADJUSTMENT

T/C 24

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL, NEEDED BY:

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

ACCOUNT CODING		DEPARTMENT : Behavioral Health - Homeless Program (0463)		
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
4284	9951	Reimbursement Gov/Gov	110,000 00	00
TOTALS			110,000 00	0 00

APPROVED

EXPLANATION OF REQUEST:

To transfer appropriation from Homeless program for the purchase of one Ford Escape Flex Fuel, one Ford CMAX Hybrid, one Ford Fusion Hybrid and one Ford Transit Connect Van for client transportation to their medical and housing needs

AUDITOR-CONTROLLER:
BY: [Signature] DATE 11/2/15

COUNTY ADMINISTRATOR:

BY: [Signature] DATE 1/2/16

BOARD OF SUPERVISORS:

YES:

NO:

[Signature]

BY: [Signature] BH FINANCE MANAGER
DATE 12/6/2015

REVENUE ADJ. JOURNAL NO. 5038

BY: _____ DATE _____
(M8134 Rev 05/09)



Contra
Costa
County

To: Board of Supervisors
From: Philip F. Kader, County Probation Officer
Date: January 19, 2016

Subject: App Adj Transferring Funds from Probation Programs to Probation Facilities

RECOMMENDATION(S):

APPROVE Appropriations Adjustment No. 5039 authorizing the transfer of appropriations in the amount of \$161,628 from the Probation Programs (0308) to Probation Facilities (0309).

FISCAL IMPACT:

This action increases appropriations in Probation Facilities (0309) and decreases appropriations in Probation Programs(0308)by \$161,628. No change in net county cost.

BACKGROUND:

Due to operational needs and a lawsuit settlement the Probation Department is eliminating a Deputy Probation Officer position in the field and adding an Institutional Supervisor I in the Juvenile Hall. Personnel costs and benefits need to be moved to Probation Facilities to cover the increase in expected expenditures.

CONSEQUENCE OF NEGATIVE ACTION:

The new expenditures will not be properly recognized in the department operating budget.

CHILDREN'S IMPACT STATEMENT:

Not applicable

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☐ 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: January 19, 2016

Contact: Danielle Fokkema,
925-313-4195

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

By: , Deputy

cc:

ATTACHMENTS

Appropriation Adjustment No.
5039

CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☒ COUNTY ADMINISTRATOR

ACCOUNT CODING		BUDGET UNIT: 0308 Probation Programs / 0309 Probation Facilities			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
3120	1011	Permanent Salaries			161,628 00
3070	1011	Permanent Salaries	161,628	00	
TOTALS			161,628	00	161,628 00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY: [Signature] DATE 1/12/15

COUNTY ADMINISTRATOR:

BY: [Signature] DATE 1/13/16

BOARD OF SUPERVISORS:

YES:

NO:

To move appropriations from Probation Programs to Probation Facilities.

Danielle Fokkema Chief of Admin Svcs
SIGNATURE TITLE DATE

APPROPRIATION APOO

5039

1-11-16

ADJ. JOURNAL NO.

BY: _____ DATE _____



**Contra
Costa
County**

To: Board of Supervisors
From: Philip F. Kader, County Probation Officer
Date: January 19, 2016

Subject: Add One Institutional Supervisor I Position and Cancel One Deputy Probation Officer III

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 21803 to add one (1) Institutional Supervisor I (7KHA) (represented) position at Salary Plan and Grade PK5 1628 (\$5,855 - \$7,117) and cancel one (1) Deputy Probation Officer III (7ATA) (represented) position #605 at Salary Plan and Grade PP5 1574 (\$5,207 - \$6,329) in the Probation Department.

FISCAL IMPACT:

Upon approval, this personnel action will have an annual cost of approximately \$23,726 of which \$13,262 is attributable to pension costs. The additional costs will come from existing appropriations in budget unit 0308. 100% General Fund

BACKGROUND:

In August 2013, Disability Rights Advocates (DRA), a nonprofit organization dedicated to advancing the rights of disabled persons, initiated a class-action lawsuit against Contra Costa County and the Contra Costa County Office of Education. This lawsuit alleged that the Probation Department denied juveniles with disabilities educational services required by federal law and challenges the use of room confinement as a disciplinary measure. The Probation Department strongly disputed the allegations made in the complaint. However, the Department was aware of the challenges

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Chris Heck, Deputy

Contact: Danielle Fokkema,
925-313-4195

BACKGROUND: (CONT'D)

it faced in disciplining Juvenile Hall residents while continuing to meet their educational needs and maintaining the safety and security of all of the juveniles housed at Juvenile Hall, the staff, and the facility itself. The Department sought to resolve this lawsuit through early settlement discussions with the DRA, but those efforts were unsuccessful. To maximize limited financial resources, the Department decided to initiate an immediate assessment of disciplinary practices at Juvenile Hall. The Department retained Professor Latessa and his staff and developed a new behavior management system for Juvenile Hall, including a more effective way to use room confinement without compromising the safety and security of the facility. The new behavior management system focuses on providing incentives to juveniles to engage in positive behavior rather than relying on discipline and punishment to discourage negative behavior. This emphasis on positive reinforcement reflected a philosophical change in the Department's approach to behavioral issues. As a first step toward development of the new behavior management system, Probation Department staff assigned to Juvenile Hall as well as others assigned to work at Juvenile Hall, such as teachers from the County Office of Education and therapists from the Health Services Department, received training by Professor Latessa's group. The training focused on correctional institution practices. The next step required Professor Latessa and his staff to develop a new security policy and a new incentive program. As the Probation Department worked to implement the new behavior management system it became clear that another Institutional Supervisor I was necessary to properly implement the new system.

CONSEQUENCE OF NEGATIVE ACTION:

The Juvenile Hall will lack sufficient staff to properly implement the new behavioral management system.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children are Healthy and Ready for School", "Youth Are Healthy and Preparing for Adulthood", and "Families and Communities Are Safe."

ATTACHMENTS

Position Adjustment Resolution No. 21803

POSITION ADJUSTMENT REQUEST

NO. 21803
DATE 12/18/2015

Department Probation

Department No./
Budget Unit No. 0308 Org No. 3120 Agency No. 30

Action Requested: ADOPT Position Adjustment Resolution No. 21803 to add one (1) Institutional Supervisor I(7KHA) (represented) position and cancel one (1) Deputy Probation Officer III (7ATA) (represented) position #605 in the Probation Department.

Proposed Effective Date: 1/6/2016

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 \$23,726.00

Net County Cost \$23,726.00

Total this FY \$10,874.00

N.C.C. this FY \$10,874.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% General Fund

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

Danielle Fokkema

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

TME

12/21/2015

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 12/28/2015

ADOPT Position Adjustment Resolution No. 21803 to add one (1) Institutional Supervisor I (7KHA) (represented) position at salary plan and grade PK5 1628 (\$5,855 - \$7,117) and cancel one (1) Deputy Probation Officer III (7ATA) (represented) position #605 at salary plan and grade PP5 1574 (\$5,207 - \$6,329) in the Probation Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ _____(Date)

Fina Prak, Human Resource Consultant

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 12/31/2015

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

Timothy 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 12/31/2015

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: Philip F. Kader, County Probation Officer
Date: January 19, 2016

Subject: Add two Deputy Probation Officer III positions, add one Probation Supervisor I position and add one Clerk Specialist position

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 21802 to add two (2) Deputy Probation Officer III (7ATA) (represented) positions at Salary Plan and Grade PP5 1574 (\$5,207 - \$6,329), add one (1) Probation Supervisor I (7AHA) (represented) position at Salary Plan and Grade PK5 1712 (\$6,363 - \$7,734) and add one (1) Clerk Specialist (JWXD) (represented) position at Salary Plan and Grade 3RX 1156 (\$3,487 - \$4,453) in the Probation Department.

FISCAL IMPACT:

Upon approval, this personnel action will have an annual cost of approximately \$636,598. 100% SB678 State Revenue.

BACKGROUND:

In 2009, in an effort to reduce prison populations, the legislature passed Senate Bill (SB) 678, the Community Corrections Performance Incentives Act (CCPIA), which provided funding to County Probation Departments to implement evidence-based practices for the Adult Probation population. In 2011, the legislature passed Assembly Bill (AB) 109 which transferred responsibility for supervising specific low-level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties. These two pieces of legislation began the largest criminal



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016**



APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE:

John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT:

Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Danielle Fokkema,
925-313-4195

BACKGROUND: (CONT'D)

justice realignment in the history of the State of California. The department's share of AB109 revenue has not increased over the last few years while the County's needs have increased. Probation has saved a portion of its SB678 revenue over the last few years. Rather than request an increase in the AB109 allocation from the Community Corrections Partnership (CCP) to fund positions needed to address the needs of returning citizens, the Probation Department will use SB678 to cover these positions.

CONSEQUENCE OF NEGATIVE ACTION:

The Probation Department will not be able to adequately meet the needs of citizens returning to Contra Costa County from State prison.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Position Adjustment Resolution No. 21802

POSITION ADJUSTMENT REQUEST

NO. 21802
DATE 12/18/2016

Department Probation

Department No./
Budget Unit No. 0308 Org No. 3033 Agency No. 30

Action Requested: ADOPT Position Adjustment Resolution No. 21802 to add two (2) Deputy Probation Officer III (7ATA) (represented) position, add one Probation Supervisor I (7AHA) (represented) position and add one (1) Clerk Specialist (JWXD) (represented) position in the Probation Department.

Proposed Effective Date: 1/6/2015

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	<u>\$636,598.00</u>	Net County Cost	<u>\$636,598.00</u>
Total this FY	<u>\$318,299.00</u>	N.C.C. this FY	<u>\$318,299.00</u>

SOURCE OF FUNDING TO OFFSET ADJUSTMENT SB678 Revenue

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Philip Kader

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Tim Ewell

12/21/2015

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 12/28/2015

ADOPT Position Adjustment Resolution No. 21802 to add two (2) Deputy Probation Officer III (7ATA) (represented) positions at salary plan and grade PP5 1574 (\$5,207 - \$6,329), add one Probation Supervisor I (7AHA) (represented) position at plan and grade PK5 1712 (\$6,363 - \$7,734) and add one (1) Clerk Specialist (JWXD) (represented) position at salary plan and grade 3RX 1156 (\$3,487 - \$4,453) in the Probation Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ _____(Date)

Fina Prak, Human Resource Consultant

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 12/31/2015

- ☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

Timothy 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 12/31/2015

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: Sharon L. Anderson, County Counsel
Date: January 19, 2016

Subject: Add one full-time Deputy County Counsel - Standard - Exempt position in the Office of the County Counsel

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 21816 to add one (1) Deputy County Counsel - Standard - Exempt (2ET2) (unrepresented) position at salary level B8B 2097 (\$9,280 - \$11,031) in the Office of the County Counsel.

FISCAL IMPACT:

If approved, this action will result in a total annual cost of \$152,575, which is charged out to departments.

BACKGROUND:

The purpose of this action is to enable the Office of the County Counsel to hire an attorney who has the specialized training and/or expertise in specified areas of Civil practice, so that the Office can efficiently and effectively satisfy the County's legal demands.

CONSEQUENCE OF NEGATIVE ACTION:

County Counsel will be unable to recruit and hire an attorney into this deep class, to the detriment of County clients.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Chris Heck, Deputy

Contact: Wanda McAdoo, (925)
335-1811

ATTACHMENTS

AIR 24384 P300

21816

POSITION ADJUSTMENT REQUEST

NO. 21816
DATE 1/19/2016

Department Office of the County Counsel

Department No./

Budget Unit No. 0030 Org No. 1700 Agency No. 17

Action Requested: ADOPT Position Adjustment Resolution No. 21816 to add one (1) full-time Deputy County Counsel - Standard - Exempt (2ET2) (unrepresented) position at salary level B8B 2097 (\$9280.74 - \$11,031.88) in the Office of the County Counsel.

Proposed Effective Date: 1/20/2016

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 \$152,575.00

Net County Cost \$0.00

Total this FY \$63,573.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Generated Revenues

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

Sharon L. Anderson

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Lisa Driscoll, County Finance Director

1/11/2016

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/11/2016

ADD one full-time Deputy County Counsel - Standard - Exempt (2ET2) (unrepresented) position at salary level B8B 2097 (\$9,280.74 - \$ 11,031.88)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ _____(Date)

LaShonda Smith, HR Consultant

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

1/11/2016

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

Lisa Driscoll, County Finance Director

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date 1/14/2016

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: Supervisor Mary N. Piepho and Supervisor John Gioia

Date: January 19, 2016

Subject: AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE COUNTY OF CONTRA COSTA AND
DAVID J. TWA

RECOMMENDATION(S):

APPROVE the addition of two, five-percent (5%) steps to the top of the County Administrator (ADA2) salary range [from salary level BD2 7994 (\$278,619.12) one (1) step salary range to salary level BD2 7994 (\$278,619.12 - \$307,177.58) three (3) step salary range]; and APPROVE an amendment to the Employment Agreement between the County and David J. Twa, County Administrator, dated July 1, 2013, to authorize a 5% step increase effective January 1, 2016, and a 5% step increase effective January 1, 2017, and to increase the deferred compensation benefit by \$1,000.

FISCAL IMPACT:

The maximum cost of this action for fiscal year 2015/16 would be \$9,702 including \$2,514 in pension costs.

BACKGROUND:

On December 15, 2015 the Board of Supervisors conducted the annual performance review of the County Administrator. Based on that review, and satisfactory performance it is recommended that the current base salary of the County Administrator of \$278,619.29 be adjusted by 5% effective January 1, 2016, and an additional 5% effective January 1, 2017. Additionally, it is recommended that an increase of \$1,000 be added to the County's contribution to the County Administrator's Deferred Compensation Account effective July 1, 2016 and each year thereafter.

This amendment does not change the term of the contract, which expires on December 31, 2017. All other provisions of the current employment contract will remain in full force and effect.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

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

By: Chris Heck, Deputy

CONSEQUENCE OF NEGATIVE ACTION:

The proposed salary steps will not be added to the County Administrator salary range, and the County Administrator's contract will not be amended.

ATTACHMENTS

Contract Amendment

AMENDMENT TO EMPLOYMENT AGREEMENT

BETWEEN THE COUNTY OF CONTRA COSTA AND DAVID J. TWA

- A. Parties.** Effective January 1, 2016, David J. Twa, County Administrator (hereafter "EMPLOYEE"), and the County of Contra Costa, a political subdivision of the State of California (hereafter "COUNTY") agree to the following amendment to the Employment Agreement of David J. Twa, dated January 1, 2013 ("Amendment").
- B. Term.** The term of this Amendment is from the effective date of this Amendment through December 31, 2017.
- C. Amendment Specifications.** The January 1, 2013, Employment Agreement between COUNTY and EMPLOYEE is amended as follows:

Section 5, Compensation, and Section 6, Benefits and Leaves, are deleted in their entirety and replaced with the following.

- 5. Compensation.** Commencing with the pay period beginning January 1, 2016, COUNTY will pay EMPLOYEE the following compensation:
- a. Base Salary.** COUNTY will pay EMPLOYEE an annual base salary of \$292,550.07 for the period beginning January 1, 2016, and ending December 31, 2016, at the same times that COUNTY pays its other employees. All salary payments will be subject to the withholding of EMPLOYEE's share of benefits, and such federal, state and local taxes and other deductions and withholding as may be legally required.
 - b. Increase to Base Salary.** On January 1, 2017, EMPLOYEE will receive a 5% increase to base salary.
 - c. Cost of Living Adjustments.** EMPLOYEE will receive the same cost-of-living adjustments to his salary as COUNTY provides for other Department Heads, and such cost-of-living adjustments will be provided to EMPLOYEE at the same times that they are provided to other Department Heads.
- 6. Benefits and Leaves.** Except as otherwise provided in this Section, in recognition of EMPLOYEE's 42 years of public service, EMPLOYEE is afforded the same number of regular holidays, the same number of personal holidays per fiscal year, the same sick leave, health, dental, retiree health, life, and disability insurance benefits, and the same retirement, and other employment benefits as are provided to other Department Heads, and in accordance with Management Resolution No. 2015/386, as may be amended or superseded (hereinafter "the Management Resolution").
- a. Vacation.** In lieu of vacation accruals as provided for in the Management Resolution, beginning January 1, 2013, EMPLOYEE will accrue 23 1/3

vacation hours per month during the term of this Agreement. EMPLOYEE is permitted to sell up to one-third of vacation hours credited to his account as provided for in the Management Resolution.

- b. **Deferred Compensation.** In lieu of the deferred compensation benefit provided for in the Management Resolution, a deferred compensation contribution in the amount of Twenty-Four Thousand Dollars (\$24,000) will be added to the County Administrator's County deferred compensation account on July 1, 2016. A deferred compensation contribution in the amount of Twenty-Four Thousand Dollars (\$24,000) will be added to the County Administrator's County deferred compensation account on July 1, 2017. If, after July 1, 2016, but prior to June 30th of the next succeeding year, and each year thereafter, EMPLOYEE's employment with the COUNTY terminates, in any of the ways described in Section 9 of this Agreement, EMPLOYEE will receive an additional deferred compensation account contribution prorated from July 1st to the date that EMPLOYEE's employment with COUNTY terminates. If, for any reason, all or part of such deferred compensation cannot be paid into his County deferred compensation account, the EMPLOYEE will receive an equivalent lump-sum payment.
- c. **Dues, Subscriptions, and Conferences.** COUNTY will reimburse EMPLOYEE for professional dues and subscriptions necessary for maintenance of a California Certified Public Accountant license, for EMPLOYEE membership in the California County Administrator's Association, and for reasonable expenses incurred by EMPLOYEE by attending the annual conferences of the Government Finance Officers Association and the National Association of Counties.

- D. **Entire Agreement.** This Amendment constitutes the entire agreement between COUNTY and EMPLOYEE pertaining to the subject matter of this Amendment, and supersedes all prior or contemporaneous written or verbal agreements and understandings between EMPLOYEE and COUNTY regarding this Amendment. Each party to this Amendment acknowledges that no representations, inducement, promise, or agreement, oral or otherwise, has been made by any party, or anyone acting on behalf of any party, which is not embodied herein, and that no agreement, statement, or promise not contained in this Amendment shall be valid or binding on either party.
- E. **Effect.** Except for the Amendment agreed to herein, the Agreement dated January 1, 2013, remains in full force and effect.

Executed at the City of Martinez this _____ day of _____, 2016

COUNTY OF CONTRA COSTA

EMPLOYEE

By: _____
Candace Andersen
Chair, Board of Supervisors

David J. Twa



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: January 19, 2016

Subject: Resolution No. 2016/44 Probation Peace Officers Association Side Letter - Agreement Regarding Professional Development

RECOMMENDATION(S):

ADOPT Resolution No. 2016/44, approving the side letter between Contra Costa County and Probation Peace Officers of Contra Contra County to revise Subsection E of Section 43 - Special Benefits.

FISCAL IMPACT:

None. This is an administrative agreement and has no fiscal impact on its own.

BACKGROUND:

The County and the Probation Peace Officers of Contra Costa County have agreed to revise the memorandum of understanding language regarding professional development allowance. The change will allow eligible employees to be reimbursed up to four hundred dollars (\$400) for each two year period rather than up to two hundred dollars (\$200) per fiscal year.

CONSEQUENCE OF NEGATIVE ACTION:

If the side letter is not approved, employees will be reimbursed up to two hundred dollars (\$200) per year rather than up to four hundred dollars (\$400) for each two year period.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

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

By: Chris Heck, Deputy

ATTACHMENTS

Resolution No. 2016/44

DSA Side Letter - Probation Peace Officer Side Letter - Professional 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 01/19/2016 by the following vote:

AYE:	<input type="text" value="4"/>	John Gioia Candace Andersen Karen Mitchoff Federal D. Glover
NO:	<input type="text"/>	
ABSENT:	<input type="text" value="1"/>	Mary N. Piepho
ABSTAIN:	<input type="text"/>	
RECUSE:	<input type="text"/>	



Resolution No. 2016/44

In The Matter Of: Approving the Side Letter between Contra Costa County and Probation Peace Officers of Contra Contra County to amend the MOU by revising subsection E of Section 43 - Special Benefits.

The Contra Costa County Board of Supervisors acting in its capacity as Governing Board of the County of Contra Costa and all districts of which it is the ex-officio governing Board **RESOLVES THAT:**

Effective following approval of the Board of Supervisors, the attached Side Letter of Agreement dated January 13, 2016, between Contra Costa County and Probation Peace Officers of Contra Contra County, be **ADOPTED**.

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

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

ATTESTED: January 19, 2016

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

By: Chris Heck, Deputy

cc: Philip Kader, County Probation Officer, Robert Campbell, County Auditor-Controller

**SIDE LETTER
BETWEEN
CONTRA COSTA COUNTY
AND
PROBATION PEACE OFFICERS ASSOCIATION OF CONTRA COSTA COUNTY**

Professional Development

This side letter amends the Memorandum of Understanding between Contra Costa County ("County") and the Probation Peace Officers Association of Contra Costa County ("PPOACCC") , (July 1, 2015 – June 30, 2018) to supersede and replace subsection E of Section 43 – Special Benefits with the following:

Section 43.E – Professional Development. Reimbursement will be provided for up to two hundred dollars (\$200) per fiscal year for memberships in professional organizations, subscriptions to professional publications, attendance fees at job-related professional development activities, job-related books, electronic calendars and organizers, and soft and hardware from a standardized County approved list or with Department Head approval, provided each employee complies with the provisions of the Computer Use and Security Policy adopted by the Board of Supervisors. Beginning January 1, 2000, employees shall be eligible for reimbursement of up to four hundred dollars (\$400) for each two year period. Authorization for individual professional development reimbursement requests shall be made by the Department Head. Reimbursement will occur through the regular demand process with demands being accompanied by proof of payment (copy of invoice or canceled check).

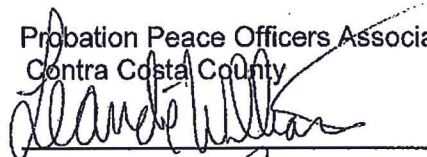
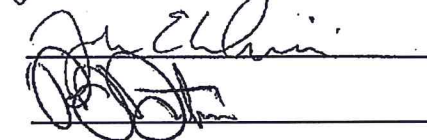
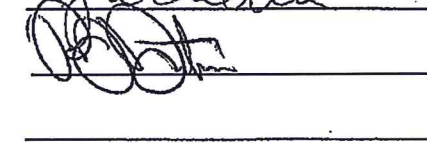
The terms of this Side Letter are to take effect immediately and will be incorporated into the successor MOU between the County and PPOACCC. All other terms and conditions of the MOU between Contra Costa County and PPOACCC (July 1, 2015 – June 30, 2018) remain unchanged by this Side Letter.

Date: 1/13/16

Contra Costa County



Probation Peace Officers Association of
Contra Costa County



**Contra
Costa
County**

To: Board of Supervisors
From: Chad Godoy, Director of Agriculture/Weights & Measures
Date: January 19, 2016

Subject: MOU - California Seed Law 15-sd07

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute Memorandum of understanding - California Seed Law #15-sd07 with the California Department of Food and Agriculture (CDFA) to pay the County an amount not to exceed \$100 to enforce California seed marketing and labeling requirements for the period July 1, 2015 - June 30, 2016.

FISCAL IMPACT:

This Memorandum of understanding will reimburse the department up to \$100 for services. There is no cost share requirement and the revenue has been anticipated in the departmental FY 15/16 budget.

BACKGROUND:

The goal of seed law enforcement (Section 52288, California Food and Agricultural code) is to protect seed consumers, including vegetable and field crop growers, as well as urban landscapers. Poor quality seeds can cost farmers and home gardeners alike considerable amounts of time, money, and resources, by way of reduced yields, poor crop quality, contamination by weeds or other unwanted species. By enforcing California Seed Law regarding marketing and labeling, the Department is able to ensure that consumers receive the desired product, and that there is supportive legal action for those who are wronged.



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: 01/19/2016



APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Chris Heck, Deputy

Contact: Agriculture Dept. (925)
646-5250

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Disapproval of the request would mean loss of revenue to the department for a mandated program.

CHILDREN'S IMPACT STATEMENT:

None

ATTACHMENTS

MOU Seed Law

**CALIFORNIA SEED LAW
MEMORANDUM OF UNDERSTANDING
Fiscal Year July 1, 2015 - June 30, 2016**

County: Contra Costa

MOU Ref No: 15-sd07

As provided by section 52325 of the Food and Agricultural Code (FAC), this Memorandum of Understanding establishes an annual cooperative agreement for enforcement of the California Seed Law between the Agricultural Commissioner and the California Department of Agriculture (CDFA). Per section 52323, the Agricultural Commissioner agrees to maintain a compliance level on all seed in the county so that the statewide compliance is not less than eighty-five percent. In addition, the Agricultural Commissioner agrees to submit monthly reports of enforcement activities to CDFA so that CDFA can measure fulfillment of the terms of this MOU and monitor compliance to the seed law.

Upon completion of the renewal cycle for firms obtaining authorization to sell seed, the Seed Services Program of CDFA will provide each Commissioner with a list of firms authorized to sell seed in their county. Each firm will be assigned units-of-activity for enforcement. Commissioners may request modification to the proposed units of activity and to the list of firms, or may simply accept the list. If new firms are discovered during the period of this MOU, the Commissioner may request that said firm(s) be added to the list and an appropriate amount of units of activity for enforcement be assigned. Commissioners may not request additions to their list after April 15th of the fiscal year for which the MOU is intended.

In the event that CDFA requests county staff to attend seed sampler training, the Commissioner may request reimbursement of expenses incurred from participation at sampler training sponsored by the CDFA Seed Services Program. All requests for reimbursement will be submitted as itemized invoices within 45 days of attendance at the sampler training. Such requests will be in accordance with the guidelines for travel expense claims in the requesting county. Requests for said reimbursements will be paid by the Seed Services Program within 60 days of receipt and from the \$120,000 aggregate amount allotted by section 52323 for seed subvention to counties. Reimbursements for the cost of attendance at training will be paid before the remaining amount left from the original \$120,000 is apportioned to participating counties.

Upon successful completion of the terms in this MOU, (a) counties with no registered seed labelers may receive one hundred dollars (\$100) and (b) counties with registered seed labelers shall receive payments based upon their units of enforcement activity reported during the period of this MOU. **All enforcement activities must be reported by October 15th of the fiscal year following the stated period of this MOU.** If a county fails to submit a monthly report by October 15th of the year following the period of this MOU, CDFA will assume there were no enforcement activities to report for that month and will total the statewide units of enforcement activity (FAC 52324). The rate of compensation per unit of enforcement activity shall be established by dividing the total statewide units of activity into \$120,000 minus the amount required for payments of \$100 to counties with no registered labelers. The Commissioner agrees that failure to submit monthly Report 6s by October 15th will affect the overall rate of compensation per unit of enforcement activity and will concomitantly affect the amount of proposed payment to the Commissioner's county.

Once the rate per unit of activity has been determined, CDFA will send a summary of work completed and proposed payment to each county. The County Agricultural Commissioner or authorized Deputy Agricultural Commissioner must sign the proposed payment and return it to CDFA – Seed Services Program, at which time it will become a signed invoice requesting payment per statute (FAC 52323-52325). If the proposed payment is not received by the CDFA Seed Services Program within 45 days of arrival at the county, CDFA will assume that the county agrees with the proposed payment and will make payment per statute at the amount indicated in the proposed payment. CDFA will make payment in the fiscal year following the year of enforcement activity (FAC 52323).

The following performance standards must be met in order to receive the annual apportionment:

**CALIFORNIA SEED LAW
MEMORANDUM OF UNDERSTANDING
Fiscal Year July 1, 2015 - June 30, 2016**

County: Contra Costa

MOU Ref No: 15-sd07

PERFORMANCE STANDARDS

1. Inspection of premises and seed lots - One (1) or more inspections of each registered seed firm or distribution center on the County's Units of Activity List will be conducted. A list of all inspections completed and the dates of inspection will be maintained by the county for two years after the fiscal year. A tally of completed inspections will be reported each month on the Report 6 form and submitted to the Seed Services Program of CDFA. Failure to perform an assigned premises inspection will result in a loss of compensation equivalent to three assigned label evaluations.
2. Label Evaluations – Each label from unique seed lots of firms on the county's list will be evaluated as a unit of activity and assigned a base rate of compensation per label. Quantities of labels evaluated beyond the number indicated on the units of activity list, may be assigned a lesser rate of compensation per label. Labels will be evaluated for compliance to the California Seed Law (CSL) and relevant portions of the Federal Seed Act (FSA). Violations of the CSL or FSA will be reported immediately to the Seed Services Program.
3. Commissioners that participate on Investigative Committees for seed complaints may claim up to nine units of activity for each seed complaint Investigative Committee they participated on.
4. Label Evaluation priority and limits- In order to assist the seed industry in achieving and maintaining compliance with the California Seed Law, the following priorities have been developed for the Agricultural Commissioner. The limits indicated are relevant to extra labels that might be evaluated by a county.
 - a) Agricultural and vegetable seed grown, conditioned, packaged, or repackaged at local operations.
 - b) Agricultural and vegetable seed of kinds utilized by farm plantings within the County.
 - c) Grass (lawn) seed kinds are limited annually to not more than fifteen (15) labels from any one Distribution Center, and not more than five (5) labels of grass seed offered for sale by retail merchants for nonfarm use.
 - d) Agricultural, vegetable and grass seed labels on seed identified in 008 Border Inspection Reports will count as extra labels evaluated unless they are counted towards the required amounts on the units of activity list. See Report 6 instructions for proper reporting of labels related to 008 Inspections.
 - e) Stop-sales may be issued on seed containers labeled incorrectly or incompletely at inspection time. Stop-sales are encouraged on seed labeled by firms not authorized to sell seed in California.

This Memorandum of Understanding must be signed and returned to the Department within 45 days of receipt and shall continue to, and terminate on, the 30th day of June, 2016.

Secretary, or his/her representative
Department of Food and Agriculture

Agricultural Commissioner,
Contra Costa County

By

Date

By

Date

**CALIFORNIA SEED LAW
MEMORANDUM OF UNDERSTANDING
Fiscal Year July 1, 2015 - June 30, 2016**

County: Contra Costa

MOU Ref No: 15-sd07

Additional endorsements/approvals if needed.

County of Contra Costa:

By _____

Date _____

Title: _____

County of Contra Costa:

By _____

Date _____

Title: _____

County of Contra Costa:

By _____

Date _____

Title: _____

County of Contra Costa:

By _____

Date _____

Title: _____

Signed copies should be sent to:

California Dept. of Food and Agriculture
Attn: John Heaton - Seed Services Program
1220 N Street Room 344
Sacramento, CA 95814

Important: Do NOT send to CDFA Contracts. These are MOUs per statutory authority.
They may get lost if you send them to CDFA Contracts.

Thank you

NOTE: You may not need a resolution from your County Board of Supervisors to sign the MOU with Seed Services.

State Administrative Manual (SAM) - Chapter 1200

1208 AUTHORIZATION OF AGREEMENTS (Revised 09/05)

1. State Departments—Authorized Signatures

2. Local Governmental Entities—Authority

- a. Purchase documents to be signed by a county, city, district or other local public body must be authorized by a resolution, order, motion or ordinance for the purchase document. A copy of the authorization should be sent to DGS/OLS with the purchase document.
- b. Where performance by the local governmental entity will be complete prior to any payment by the state a resolution is not needed. Such instances are usually one time events such as a room rental.

1215 EXEMPTION FROM APPROVAL BY THE DEPARTMENT OF GENERAL SERVICES (Revised 8/01)

1. All contracts must conform to the requirements for contracts as stated in statutes, regulations, and policy.
2. The law requires all contracts to be approved by DGS unless exempted or there is a delegation to an agency.
3. All contracts and interagency agreements are subject to approval by DGS except:
 - a. Contracts of \$35,000 or less, unless subject to the provisions of SAM Section 1216. See Government Code Section 14616.
 - b. Interagency agreements less than \$50,000 unless subject to the provisions of SAM Section 1216. See Government Code Section 14616.
 - c. Contracts with specific statutory exemption from DGS approval. See Public Contract Code (PCC) Section 10295.
 - d. Amendment to a contract or interagency agreements that only extends the time for completion of performance for a period of one year or less. A contract may only be amended once under this exemption. See PCC 10335.
 - e. Any contract for which the agency has a specific exemption letter from DGS under Government Code Section 14616, or PCC Section 10351.
4. Considerations Related to Exempt Contracts
 - a. No contract which exceeds \$75,000 will be exempt from DGS review, without specific statutory authority.
 - b. A copy of each exempt contract or interagency agreement is to be retained in the agency's file for three years from the date of the final payment.
 - c. Where the performance is other than monetary, such consideration must be valued on a monetary basis for the purpose of determining whether approval of DGS is required.
 - d. Any state agency that enters into or expects to enter into more than one consulting services contract with the same individual, business firm, or corporation within a 12-month period for an aggregate amount of twelve thousand five hundred dollars (\$12,500) or more, shall notify DGS in writing and shall have each contract that exceeds an aggregate amount of twelve thousand five hundred dollars (\$12,500) approved by DGS.

DEPARTMENT OF FOOD AND AGRICULTURE

1220 N Street, Room 344
Sacramento, CA 95814
Phone: (916) 403-6715

KAREN ROSS, Secretary



December 17, 2015

TO: COUNTY AGRICULTURAL COMMISSIONERS

SUBJECT: Proposed Units of Activity for Seed Subvention MOU

Attached is a list of seed operations in your county. This list was compiled by cross referencing the 14/15 list with the list of firms authorized to sell seed in 15/16 (the most recent complete list). Please review the list with your staff and add, delete or edit as needed.

CDFA is especially interested in learning the type of operation for firms designated as "Eval" (evaluate) on the list. The possible categories for the type of firm are provided on the bottom of the proposed units of activity. If you think a firm fits into multiple categories for "type," please make a judgment as to their predominant activity. Contact me directly if you wish to assign units of activity to firms designated with type = "Eval" or to firms presently assigned "0" units.

Each unit of activity takes into consideration the type of operation, the kinds of seeds and number of lots handled. Consideration is also given to the seasonal activity of the location, as well as the enforcement efforts necessary to assure compliance with the California Seed Law. If I do not receive a request for change, this list will be used as the scope of work in the 2015/16 Memorandum of Understanding (MOU) for seed law enforcement work by your county.

You may wish to compare the total units of activity in the prior year with the total units proposed on this list for FY 2015/16. Both totals are presented on the 2015/16 proposal. If there have been any changes to the number of seed operators in your county, you may observe a difference in units. You should contact the CDFA Associate Environmental Scientist assigned to your county to review any firms that you are not sure of. When you are finished reviewing the list, please return it to me with an indication of the changes, or a statement that says "no changes". A simple fax is adequate. My fax number is 916 651-1207.

The units of activity that you report on the Report 6 will be used to determine if your county met the enclosed scope of work. The annual apportionment of funds that each county receives is based on the total units of activity reported. If you need to know how much of the apportionment your county should expect, you can calculate an estimate by using an average of the amounts your county received in previous years as reported toward the end of the enclosed Proposed Units of Activity document..

If you have any questions, please contact me at the number above.

Sincerely,

A handwritten signature in cursive script that reads "John Heaton".

John Heaton
Senior Environmental Scientist
Nursery, Seed, and Cotton Program
Pest Exclusion Branch
Plant Health and Pest Prevention Services

Attachments

The following list was generated from a database of firms authorized to sell seed in your county during the present fiscal year. This list was compared to last year's list but there may be corrections, deletions, or additions that you would like to make. Please review the list and make corrections on this form and return a copy to the Seed Services Program. If no changes are sent to the Seed Services Program, this list will serve as the benchmark to determine your county's performance and subsequent apportionment of seed subvention funds for the contracted fiscal year. You may wish to contact firms that did not renew so you can recapture those units.

Firm	Location	Type	No. of Seed Lots to Eval.	No. of Premises Inspections	Please Note
Cloverfield	El Sobrante	Eval	0	0	
Pars Produce Inc.	Alamo	Lblaos	0	0	Internet Sale

15/16 PROPOSED PERFORMANCE STANDARDS FOR CONTRA COSTA COUNTY

Number of unique seed lots that must have labels evaluated* 0
Number of premises inspections to conduct* 0

Note: Your MOU for last year had:

0 unique labels to evaluate
0 premises to inspect

Payment for the proposed work will be made in FY 16-17 and will be calculated using the reported units of activity. A reduction in assigned or reported units of activity may result in a reduction in payment. For points of reference, your county was paid the following amounts for seed-law work in recent years.

<i>Payment for work in FY 11-12 was</i>	<i>\$100.00</i>	<i>Payment for work in FY 13-14 was</i>	<i>\$100.00</i>
<i>Payment for work in FY 12-13 was</i>	<i>\$100.00</i>	<i>Payment for work in FY 14-15 was</i>	<i>\$100.00</i>

**Work performed in 15-16 will be tallied after Oct. 2016 and payment will be made in FY 16-17 per statute.*

FIRM = Facility registered to label and or sell seed, or a major distribution center.

TYPE = Types of seed operations are as follows:

Labeler - attaches label and offers seed for sale in California

Dealer - sells seed but does not attach his or her own label.

Distribution Center - receives seed from an out-of-state registered labeler and distributes to local retail outlets.

RLblaos - registered labeler but limited amount of seed.

Conditioner - only cleans or conditions seed. Does not label or sell seed.

NE - nursery exempt. Authorized to sell seed under nursery license.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: January 19, 2016

Subject: 2015-16 California Department of Education Preschool Program revenue contract amend #1

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Department Director, or designee, to execute a contract amendment with the California Department of Education to increase the payment limit by \$600,469 to new amount not to exceed \$9,123,236 to provide State Preschool services, with no change to term July 1, 2015 through June 30, 2016.

FISCAL IMPACT:

County to receive up to \$9,123,236: State 76.9% (\$7,020,016); Federal 23.1% (\$2,103,220) No County match.

CFDA #s 93.596 (\$1,566,055) and 93.575 (\$537,165).

State Agreement CSPP 5044, Amend 1 / CCC Agreement 39-908-19

BACKGROUND:

The California Department of Education notified the Department on June 3, 2015 of the 2015-16 funding allocation of the California State Preschool program services. The

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: CSB (925) 681-6333

BACKGROUND: (CONT'D)

County receives funds from the California Department of Education to provide state preschool services to program eligible County residents. The program is operated by the Employment and Human Services Department, Community Services Bureau. The board approved receipt of funding on June 15, 2016. Throughout the program year, the State routinely adds funds to the program; this board order seeks approval to accept additional funding.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, County will not receive funding to operate these childcare programs.

CHILDREN'S IMPACT STATEMENT:

The Employment and Human Services Department, Community Services Bureau supports three of the community outcomes established in the Children's Report Card: 1) "Children Ready for and Succeeding in School"; 3) "Families that are Economically Self-sufficient"; and, 4) "Families that are Safe, Stable, and Nurturing" by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.

**Contra
Costa
County**



To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Interagency Agreement #22-402-15 with City of Richmond, on behalf of its Fire Department

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Interagency Agreement #22-402-15 with City of Richmond, on behalf of its Fire Department, a government agency, in an amount not to exceed \$782,907, to maintain a Hazardous Materials Response Unit, Hazardous Materials Emergency Vehicle and specialized training, for the period from July 1, 2015 through June 30, 2017.

FISCAL IMPACT:

This Contract is funded 100% by AB 2185 fees that County charges to businesses for the handling of hazardous materials, and is included in the Department's budget. (Rate Increase)

BACKGROUND:

On December 10, 2013, the Board of Supervisors approved Interagency Agreement #22-402-14 and on November 5, 2013, approved Interagency Agreement #22-351-16 with City of Richmond, on behalf of its Fire Department, for the period from July 1, 2013 through June 30, 2015, to maintain a Hazardous Materials Response Unit in West County.

Due to lengthy negotiations, the parties were not in able

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Randall Sawyer, 335-3210

BACKGROUND: (CONT'D)

to come to a mutual agreement until recently. The Division is requesting Board approval to avoid any service disruption.

Under this Agreement #22-402-15, Contractor will maintain a Hazardous Materials Response Unit, Hazardous Materials Emergency Vehicle and specialized training, through June 30, 2017. This Agreement includes mutual indemnification and modifications to County Standard General Conditions language.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, Agency will not maintain a Hazardous Materials Response Team and Hazardous Materials Emergency Vehicle, leaving County without an effective response to hazardous material incidents in West Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Contract #23-505-2 with Hyland Software, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #23-505-2 with Hyland Software, Inc., a corporation, in an amount not to exceed \$6,000, to provide computer software consulting and technical assistance on the On-base software upgrades and modules for County's Health Services Department, for the period from December 1, 2015 through November 30, 2016.

FISCAL IMPACT:

This Contract is funded 100% Hospital Enterprise Fund I.

BACKGROUND:

Under Contract #23-505-2, the Contractor will provide consulting, training, and technical services to the County's Health Services Department On-Base system, including customer solution reviews, collaborations of usability of the system, testing and feedback to the On-Base module projects, and hosting and support services, through November 30, 2016. This Contract includes changes to the County's Standard General Conditions.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016**

☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Chris Heck, Deputy

Contact: David Runt, 335-8700

cc: J Pigg, M Wilhielm

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, County's Health Services Department will not receive enhancements, support, and training on the On-Base system.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Contract #26-429-24 with Jackson & Coker Locum Tenens, LLC

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-429-24 with Jackson & Coker Locum Tenens, LLC, a limited liability company, in an amount not to exceed \$200,000, for the provision of temporary help physicians at Contra Costa Regional Medical Center and Contra Costa Health Centers and the County's Main Detention Facility, for the period from January 1, 2016 through December 31, 2016.

FISCAL IMPACT:

This Contract is funded 100% Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

For many years the County has contracted with registries to provide temporary physicians to assist the Department during peak workloads, temporary absences and emergency situations. On March 31, 2015, the Board of Supervisors approved Contract #26-429-23 with Jackson & Coker Locum Tenens, LLC, for the period from January 1, 2015 through December 31, 2015, for the provision of temporary physicians to cover vacation, sick leave, and extended leave relief for County-employed physicians at the Contra Costa Regional Medical Center and Contra Costa



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016**



APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE:

John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT:

Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Samir Shah, M.D.,
925-370-5475

BACKGROUND: (CONT'D)

Health Centers and County's Main Detention Facility. Approval of Contract #26-429-24 will allow the Contractor to continue to provide temporary physicians through December 31, 2016. The contract contains modifications to Paragraph 18. (Indemnification) of the General Conditions.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, Contra Costa Regional Medical, Contra Costa Health Centers and the County's Main Detention Facility will not have access to Contractor's services.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: January 19, 2016

Subject: Mandatory Child Welfare Drug Testing Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with PhamaTech, Incorporated in the amount not to exceed \$360,000 for Child Welfare Mandated Drug Testing services for the period of January 1, 2016 through June 30, 2017.

FISCAL IMPACT:

\$360,000 Budgeted: 30% County, 70% State

BACKGROUND:

Random drug tests are court-ordered services and are ordered as a part of the client service plan. Laboratory results are submitted for inclusion in the Child Welfare Family Maintenance and Reunification cases. Services include insuring the availability of specimen collection sites, screening test specimens, providing "on-demand" sample testing when requested by the county's employment and Human Services Department social workers, and providing monthly statistics to the Department for clients referred for drug testing.

CONSEQUENCE OF NEGATIVE ACTION:

Without this service, the Employment and Human Services Department would be unable to comply with court-ordered drug testing.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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ATTESTED: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Gina Chenoweth 3-1648

cc:



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: January 19, 2016

Subject: Contract with STAND! For Families Free of Violence

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with STAND! For Families Free of Violence, in an amount not to exceed \$101,955 to provide services for the Encourage Arrest Policies and Enforcement of Protection Orders Project for the period January 1, 2016 through December 31, 2016. (Budgeted, 100% Federal)

FISCAL IMPACT:

\$101,955: 100% Federal Department of Justice grant (CFDA 16.590), no County cost.

BACKGROUND:

The Zero Tolerance for Domestic Violence Initiative (ZTDVI) received funds from the Department of Justice, Office on Violence Against Women, Encourage Arrest Policies and Enforcement of Protection Orders Project. The ZTDVI is engaging the Contractor to assist in carrying out activities consistent with the funding application.

The primary purpose of the Zero Tolerance for Domestic Violence, Encourage Arrest Policies and Enforcement of Protection Orders Project is to develop and strengthen effective responses to reducing violence against women.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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ATTESTED: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Vickie Kaplan, 313-1514

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Valuable services to assist in the prevention of violence against women will not be offered to citizens of Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

None.



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Contract #26-614-10 with Sodexo America, LLC

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or designee, to execute, on behalf of the County, Contract #26-614-10 with Sodexo America, LLC, a limited liability company, in an amount not to exceed \$399,448, for the provision of management and oversight of the Environmental Services Unit at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC), for the period from January 1, 2016 through December 31, 2016.

FISCAL IMPACT:

This Contract is funded 100% Hospital Enterprise I Funds. (Rate increase)

BACKGROUND:

On December 2, 2014, the Board of Supervisors approved Contract #26-614-9 with Sodexo America, LLC, for the provision of management and oversight of the Environmental Services Unit at CCRMC, for the period from January 1, 2015 through December 31, 2015. Approval of Contract #26-614-10 will allow Contractor to continue to provide management and oversight of the Environmental Services Unit through December 31, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, CCRMC will not receive management and oversight of the Environmental Services Unit from this Contractor.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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ATTESTED: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Anna Roth, 925-370-5101

cc: K Cyr, M Wilhelm

CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra
Costa
County**

To: Board of Supervisors
From: Joseph E. Canciamilla, Clerk-Recorder
Date: January 19, 2016

Subject: Purchase of Franklin Voting Booth Units for Use in the County's 287 Polling Places

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Clerk-Recorder, a purchase order with Inclusion Solutions in an amount not to exceed \$485,054 for acquisition of 550 Franklin voting booth units for use in the County's 287 polling places in the June 2016 Primary and subsequent elections.

FISCAL IMPACT:

The amount of the purchase is \$485,053.25 and is reimbursable by the State under the provisions of Section 301 of the Help America Vote Act (HAVA). The balance of the funds in the grant available to Contra Costa County is \$565,866.87 and has been appropriated in the FY 2015-16 budget. The net cost to the General Fund will be zero.

BACKGROUND:

The Election Division delivers voting equipment, including booths, to 285 polling places throughout Contra Costa County. The mobility, durability, and configurability will allow for any of our 2000 poll worker volunteers to set up a polling place (without having election staff assistance). Many of the polling places that are used are lacking the space requirements for the older style voting booths and the ability to configure the booths will enhance voter experience. Additionally, the requested booths are entirely of one pre-fabricated piece, so the possibility of a lost part will not inhibit voting. These units do not have a built in lighting system so therefore no need for electrical cords which can inhibit voter flow through the polling place. There is 30% size reduction in inventory space for storage when not in use, allowing us to move the storage of voting booths from a paid off-site facility to our warehouse facility resulting in an estimated annual savings of up to \$10,000.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Chris Heck, Deputy

Contact: Scott Konopasek,
925-335-7808

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Failure to purchase these booths would require the County to continue to set up the existing booths for pollworkers. It would also require the County to maintain the light systems of existing booths and pay for the year-round off-site storage of the units.

ATTACHMENTS



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Contract #26-789-3 with Hugo E. Altamirano, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-789-3 with Hugo E. Altamirano, Inc. a professional corporation, in an amount not to exceed \$545,000, to provide anesthesiology services at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC) for the period from February 1, 2016 through January 31, 2017.

FISCAL IMPACT:

This Contract is funded 100% Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On June 9, 2015 the Board of Supervisors approved Contract #26-789 (as amended by Amendment Agreements #26-789-1 and #26-789-2) with Hugo E. Altamirano, M.D. for the provision of anesthesiology services at CCRMC, including but not limited to; consultation, training, administrative services, medical procedures, on-call, and coverage for the General and Obstetrics Units for the period from January 19, 2015 through January 31, 2016. Approval of Contract #26-789-3 will allow the Contractor to continue to provide anesthesiology services at CCRMC through January 31, 2017.



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016**



APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE:

John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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ATTESTED: January 19, 2016

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

ABSENT:

Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Samir Shah, M.D.,
925-370-5525

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring anesthesiology services at CCRMC will not have access to Contractor's services.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Contract #26-199 with Laura Hans, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-199 with Laura Hans, M.D., an individual, in an amount not to exceed \$290,000, to provide pediatric services at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC) for the period from November 1, 2015 through October 31, 2016.

FISCAL IMPACT:

This Contract is funded 100% Hospital Enterprise Fund I.

BACKGROUND:

Under Contract # 26-199, the Contractor will provide pediatric services including, but not limited to, clinic coverage, clinical case coverage, report writing, training and administrative duties in the Pediatric Unit at CCRMC for the period from November 1, 2015 through October 31, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring developmental pediatric services will not have access to the Contractor's services.



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016**



APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE:

John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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ATTESTED: January 19, 2016

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

ABSENT:

Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Samir Shah, M.D.,
925-370-5525

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Beckman Coulter, Inc. Blanket Purchase Order Amendment

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute an amendment to Purchase Order with Beckman Coulter, Inc., to add \$150,000 for a new total of \$500,000 for reagents, controls and supplies to be used on two hematology analyzers and one slide maker/stainer for the Clinical Laboratory at the Contra Costa Regional Medical Center (CCRMC), with no change in original term of April 4, 2012 to March 31, 2017.

FISCAL IMPACT:

100% funding is included in the Hospital Enterprise Fund I Budget.

BACKGROUND:

The reagents, supplies and controls will be used on the two hematology analyzers and one slide maker/stainer for the Clinical Laboratory at the CCRMC to perform complete blood count, complete blood count with differential and all other cell counts for patient testing.

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase Order is not approved, the CCRMC Clinical Laboratory will not be able to perform patient testing. These reagents, controls and supplies are exclusively for these analyzers.



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016**



APPROVED AS



OTHER

RECOMMENDED

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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ATTESTED: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Anna Roth, 370-5101

cc: T Scott, Marcy Wilhelm, Crystal Grayson

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016
Subject: Beckman Coulter, Inc. Amendment to Purchase Order

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute an amendment to Purchase Order with Beckman Coulter Inc., to add \$265,000 for a new total of \$1,215,000 for reagents and supplies to perform chemistry testing and monthly meter billing in the laboratory at the Contra Costa Regional Medical Center, with no change in original term of January 1, 2015 to December 31, 2015.

FISCAL IMPACT:

100% funding is included in the Hospital Enterprise Fund I Budget.

BACKGROUND:

These reagents and supplies are used to perform routine chemistry testing on patient samples in the laboratory at the CCRMC. Monthly billing is for various tests done and replenishment of supplies. Purchase of supplies and reagents are on an as needed basis and the monthly lease on the analyzer is billed at the rates included in the Purchase Order.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved CCRMC Laboratory will not be able to perform tests on patients.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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ATTESTED: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Anna Roth, 370-5101

cc: Tasha Scott, M Wilhelm, Crystal Grayson

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Stryker Orthopedic, Inc. Blanket Purchase Order

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute a Purchase Order with Stryker Orthopedic Inc., in the amount of \$1,550,000, for the purchase of implants and supplies for Contra Costa Regional Medical Center (CCRMC), for the period January 1, 2016 through December 31, 2018.

FISCAL IMPACT:

100% funding is included in the Hospital Enterprise Fund I Budget.

BACKGROUND:

Stryker Orthopedic Inc. provides implants and supplies for the Operating Room at CCRMC Surgery Department. Without these supplies and implants, the Operating Room at the CCRMC will not be able to perform the necessary surgeries required for the patient population.

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase Order is not approved the CCRMC will not be able to take care of the surgical needs of its patients.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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ATTESTED: January 19, 2016

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

By: Chris Heck, Deputy

Contact: Anna Roth, 370-5101

cc: Tasha Scott, M Wilhelm, Crystal Grayson



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Arthrex Inc. Blanket Purchase Order

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute a Purchase Order with Arthrex Inc., in the amount of \$350,000 for the purchase of instruments, implants and supplies for the Contra Costa Regional Medical Center (CCRMC), for the period February 1, 2016 through January 31, 2018.

FISCAL IMPACT:

100% funding is included in the Hospital Enterprise Fund I Budget.

BACKGROUND:

Arthrex Inc. provides instruments, implants and supplies for the Orthopedic Department to perform specialty procedures at the Contra Costa Regional Medical Center. Arthrex Inc. has been a reliable source of supplies for the Operating Room (OR). With the increase of patient population, the OR requires the fast and steady replenishment of supplies that Arthrex Inc. can provide.

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase Order is not approved, the CCRMC will not be able to meet the surgical needs of its patients.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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ATTESTED: January 19, 2016

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

By: Chris Heck, Deputy

Contact: Anna Roth, 370-5101

cc: T Scott, M Wilhelm, Crystal Grayson



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Novation Contract #24-958-23 with Rubicon Programs Incorporated

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #24-958-23, with Rubicon Programs Incorporated, a non-profit organization, in an amount not to exceed \$110,000, to provide mental health services for CalWORKs clients, for the period from July 1, 2015 through June 30, 2016. This contract includes a six-month automatic extension through December 31, 2016, in an amount not to exceed \$55,000.

FISCAL IMPACT:

This Contract is funded 100% CalWORKs funds. (No Rate increase)

BACKGROUND:

On January 13, 2015, the Board of Supervisors approved Novation Contract #24-958-22, with Rubicon Programs Incorporated, for the period from July 1, 2014 through June 30, 2015, which included a six-month automatic extension through December 31, 2015, for the provision of mental health services to recipients of the CalWORKs

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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Federal D. Glover, District V Supervisor

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ATTESTED: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Cynthia Belon 957-5201

BACKGROUND: (CONT'D)

Program and their children, including individual, group and family collateral counseling, case management, and medication management services to reduce barriers to employment.

Approval of Novation Contract #24-958-23 will replace the automatic extension under prior contract and allow the Contractor to continue to provide mental health services to CalWORKs recipients through June 30, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, CalWORKs recipients will not have sufficient access to the children's mental health services they need.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Beckman Coulter Inc. Purchase Order

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department to execute a Purchase Order with Beckman Coulter, Inc., in the amount of \$500,000 to purchase reagents and supplies to perform chemistry testing on the Access 2 Immunoassay and Unicel DXI800 for the clinical laboratory at the Contra Costa Regional Medical Center (CCRMC), for the period January 1, 2016 through December 31, 2016.

FISCAL IMPACT:

100% funding is included in the Hospital Enterprise Fund I Budget.

BACKGROUND:

These reagents and supplies are used to perform routine chemistry testing on patient samples in the laboratory at the CCRMC. Monthly billing is for various tests done and replenishment of supplies. Purchase of supplies and reagents are on an as needed basis.

CONSEQUENCE OF NEGATIVE ACTION:

CCRMC Clinical Laboratory will not be able to perform patient testing without the requested supplies and reagents if this purchase order is not approved.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Anna Roth, 370-5101

cc: T Scott, M Wilhelm, Linda Hubbard

CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: January 19, 2016

Subject: Contract Amendment with IEDA for IHSS Negotiations and Support Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract amendment with Industrial Employers and Distributor's Association (IEDA), effective March 1, 2016, to increase the payment limit by \$22,588 to a new payment limit of \$45,176 to continue providing In-Home Supportive Services Authority (IHSS) negotiations and support services, and to extend the term of the agreement from February 29, 2016 to February 28, 2017.

FISCAL IMPACT:

The contract payment limit increase of \$22,588, for services IEDA will provide during the period of March 1, 2016 through February 28, 2017, will be funded by Federal, State and County.

BACKGROUND:

The County Administrator's Office is requesting to amend and extend this contract so that the County can continue contracting with IEDA for IHSS Negotiations and Support Services. IEDA has represented Contra Costa County in labor relations matters for about 40 years and augments the County's Labor Relations staff. IEDA has long term, historical knowledge of the policies, practices and intricacies of the County and IHSS, and is instrumental in negotiations.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

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

By: Chris Heck, Deputy

cc: Robert Campbell, County Auditor-Controller

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, IHSS and the County will lack the necessary negotiations and support services needed to negotiate with recognized employee organizations.



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Novation Contract #24-385-40 with Anka Behavioral Health, Incorporated

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #24-385-40 with Anka Behavioral Health, Incorporated, a non-profit corporation, in an amount not to exceed \$1,117,822, to provide mental health outreach services for the homeless mentally ill for the period from July 1, 2015 through June 30, 2016. This Contract includes a six-month automatic extension through December 31, 2016, in an amount not to exceed \$558,911.

FISCAL IMPACT:

This Contract is funded 36% Medi-Cal, 51% Substance Abuse and Mental Health Services Administration (SAMHSA), and 13% by a Project for Assistance in Transition from Homelessness (PATH) Grant. (No rate increase)

BACKGROUND:

This Contract meets the social needs of County's population by providing ongoing operational funding for mental health homeless outreach facilities in West, Central, and East County. On January 20, 2015 the Board of Supervisors approved Contract #24-385-39 with Anka Behavioral Health, Inc., for the provision of mental health outreach services for the homeless mentally



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016**



APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE:

John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT:

Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Cynthia Belon,
925-957-5201

BACKGROUND: (CONT'D)

ill, for the period from July 1, 2014 through June 30, 2015, which included a six month automatic extension through December 31, 2015. Approval of Contract #24-385-40 will replace the automatic extension and allow the Contractor to continue providing services through June 30, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's homeless mentally-ill adults will experience reduced access to core survival and support services at multi-service centers throughout Contra Costa County, or at the 20-bed homeless shelter for the mentally ill in Central County.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Office of the Sheriff
Date: January 19, 2016

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 01/01/2016 through 12/31/2016.

FISCAL IMPACT:

\$165,000 maximum. 100% County General Fund; Budgeted in fiscal year 2015/16.

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



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016**



APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE:

John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT:

Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: Liz Arbuckle, (925)
335-1529

CHILDREN'S IMPACT STATEMENT:

No impact.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: January 19, 2016

Subject: 2015-16 Little Angels Country School LLC childcare contract

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract, including modified indemnification language, with Little Angels Country School LLC, in an amount not to exceed \$201,647, to provide State Preschool and Head Start program services, for the term July 1, 2015 through June 30, 2016.

FISCAL IMPACT:

\$37,565 in Federal funds / CFDA #93.600
Administration for Children & Families

\$164,082 in State funds
California Department of Education

BACKGROUND:

Contra Costa County receives funds from the Administration for Children and Families (ACF) to provide Head Start and Early Head Start services to program eligible County residents. Contra Costa also receives funds from

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Chris Heck, Deputy

Contact: CSB (925) 681-6346

BACKGROUND: (CONT'D)

California Department of Education (CDE) to provide State Preschool services to program eligible County residents. The State requires an indemnification clause with County subcontractors wherein the subcontractor holds harmless the State and its officers for any losses.

In order to provide a wider distribution of services to County residents, the Department subcontracts with a number of community-based organizations. Approval of this contract will allow the provision of vital preschool and childcare services to program eligible children in East Contra Costa County. The Board approved a contract with Little Angels Country School LLC on September 15, 2015 (agenda item C.80), which has been terminated. This board order is to approve a new current contract that clearly aligns the service plan with the scope of work as outlined in the original board order.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, County will not be able to more widely distribute childcare availability through partnership with community based agencies.

CHILDREN'S IMPACT STATEMENT:

The Employment & Human Services Department Community Services Bureau supports three of Contra Costa County's community outcomes - Outcome 1: "Children Ready for and Succeeding in School," Outcome 3: "Families that are Economically Self-sufficient," and, Outcome 4: "Families that are Safe, Stable, and Nurturing." These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: January 19, 2016

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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: 01/19/2016

☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stephanie L. Mello, Deputy

Contact: Enid Mendoza, (925)
335-1039

cc:

BACKGROUND: (CONT'D)

the Board to continue the declaration of a local emergency regarding homelessness.



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: January 19, 2016

Subject: Multifamily Housing Revenue Bonds - Riviera Family Apartments, Walnut Creek

RECOMMENDATION(S):

1. ADOPT Resolution No. 2016/31 authorizing the issuance of Multifamily Housing Revenue Bonds (the "Bonds") in an amount not to exceed \$23,000,000 to provide financing for the costs of acquisition and construction of Riviera Family Apartments, a 58-unit residential rental housing development located at 1515 and 1738 Riviera Avenue (APN Nos. 174-150-076, 174-140-019, 174-140-025) in the City of Walnut Creek, California (the "Development").
2. FIND and DECLARE that the recitals contained in the proposed Resolution are true and correct.
3. ACKNOWLEDGE that for purposes of Section 147(f) of the Internal Revenue Code of 1986, authorizing the issuance of Multifamily Housing Revenue Bonds (the "Bonds") to finance the costs of the acquisition and construction of Riviera Family Apartments is subject to Board of Supervisors approval of all documents related to the Bonds to which the County is a party.
4. ACKNOWLEDGE that adoption of this resolution does not relieve or exempt the borrower from obtaining required permits or approvals, nor obligate the County to incur any obligation or provide financial assistance with respect to the Bonds or the Development; and
5. AUTHORIZE and DIRECT any authorized officer of the County to do any and all things, take any and all actions, and execute and deliver any and all certificates, agreements, and other documents, which the officer may deem necessary or advisable in order to effectuate the intent of the Resolution.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stephanie L. Mello, Deputy

Contact: Kristen Lackey (925)
674-7888

cc:

RECOMMENDATION(S): (CONT'D)

Authorized officers include the Chair of the Board of Supervisors, the Vice-Chair of the Board of Supervisors, County Administrator, the County Director of Conservation and Development, the County Assistant Deputy Director of Conservation and Development, the County's Community Development Bond Program Manager, County Counsel, and other officers of the County.

FISCAL IMPACT:

No impact to the General Fund. In the event that the bonds are issued, the County is reimbursed for costs incurred in the issuance process. Annual expenses for monitoring of Regulatory Agreement provisions ensuring units in the Development will be rented to low income households are accommodated in the bond issue. The bonds will be solely secured by and payable from revenues (e.g. Development rents, reserves, etc.) pledged under the bond documents. No County funds are pledged to secure the bonds.

BACKGROUND:

The recommended action is the adoption of a Resolution by the Board, as the legislative body of the County, authorizing the issuance of Multifamily Housing Revenue Bonds, which will be used to finance the acquisition and construction of Riviera Family Apartments, a 58-unit rental housing development located at 1515 and 1738 Riviera Avenue (APN Nos. 174-150-076, 174-140-019, 174-140-025) in the City of Walnut Creek, California (the "Development").

The Bonds, when issued, will be used to finance the development of Riviera Family Apartments by Riviera Family Apartments, LP, the Managing General Partner of which is RCD. A to-be-named tax credit investor will be the limited partner.

The proposed financing would implement City of Walnut Creek and County policies to maintain and increase the supply of affordable housing. The City Council passed a resolution acknowledging that the County will assist in the financing of the project. At its December 8, 2015 meeting, the Board of Supervisors approved a Reimbursement (Inducement) Resolution for the Development. The Reimbursement Resolution conditionally provided for the issuance of housing revenue bonds.

The main purpose of the proposed Resolution is to acknowledge that a public hearing was held by the Community Development Bond Program Manager on January 4, 2016, with no public comment, and to meet other bond issuance requirements which are specified in Section 147(f) of the Internal Revenue Code. The proposed bonds cannot be issued until a separate resolution is adopted by the Board of Supervisors specifically authorizing the sale of the bonds. Such separate resolution to authorize the sale of bonds would come before the Board after receipt of an allocation from the State of California for Private Activity Bond Authority. An application for Private Activity Bond Authority will be submitted to the California Debt Limit Allocation Committee on January 15, 2016. The expected timing for a Bond Sale Resolution would be May, 2017.

The proposed resolution would not relieve Riviera Family Apartments, LP or RCD from obtaining other required permits or approvals required by law, nor obligate the County to incur any obligation or provide financial assistance with respect to the Bonds or the Development. Annual expenses of the County related to the monitoring of the Regulatory Agreement are accommodated in the bond issue.

CONSEQUENCE OF NEGATIVE ACTION:

Negative action would prevent the County from meeting the public approval requirement of the Internal Revenue Code for issuing Multifamily Housing Revenue Bonds. As a result, the Multifamily Housing Revenue Bonds could not be issued by the County.

CHILDREN'S IMPACT STATEMENT:

The Riviera Family Apartments provide 58 units of affordable rental housing appropriate for families. This supports outcome #3: Families are Economically Self Sufficient.

ATTACHMENTS

Resolution No. 2016/31

Riviera TEFRA Transcript

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

Adopted this Resolution on 01/19/2016 by the following vote:

AYE:	<input checked="" type="checkbox"/>	John Gioia
	<input checked="" type="checkbox"/>	Candace Andersen
	<input checked="" type="checkbox"/>	Karen Mitchoff
	<input checked="" type="checkbox"/>	Federal D. Glover
NO:	<input type="checkbox"/>	
ABSENT:	<input checked="" type="checkbox"/>	Mary N. Piepho
ABSTAIN:	<input type="checkbox"/>	
RECUSE:	<input type="checkbox"/>	



Resolution No. 2016/31

Resolution Authorizing the Issuance of Multifamily Housing Revenue Bonds in an Aggregate Principal Amount not to Exceed Twenty-Three Million Dollars (\$23,000,000) for the Purpose of Providing Financing for a Residential Rental Project in Walnut Creek Generally Known as Riviera Family Apartments.

WHEREAS, the County of Contra Costa (the "County") is authorized to issue multifamily housing revenue bonds pursuant to Section 52075 and following of the California Health and Safety Code; and

WHEREAS, the County desires to participate in financing costs of the acquisition and construction of a 58-unit residential rental housing development generally known as Riviera Family Apartments and located at 1515 and 1738 Riviera Avenue (APN Nos. 174-150-076, 174-140-019 and 174-140-025) in Walnut Creek, California (the "Development"), which initially will be owned by Riviera Family Apartments, LP, a California limited partnership, or another entity to be formed by Resources for Community Development (the "Borrower"); and

WHEREAS, to assist in financing the Development, the County intends to sell and issue not to exceed \$23,000,000 principal amount of its multifamily housing revenue bonds (the "Bonds") and to loan the proceeds of the Bonds to the Borrower, thereby assisting in providing housing for low income persons; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Bonds by the County must be approved by an applicable elected representative body with respect to the Development following the conduct of a public hearing on the proposed financing; and

WHEREAS, the Board of Supervisors of the County of Contra Costa (the "Board"), is the elected legislative body of the County and is one of the applicable elected representatives authorized to approve the issuance of the Bonds under Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the Community Development Bond Program Manager of the County has, following notice duly given, held a public hearing regarding the financing of the Development and the issuance of the Bonds, and a summary of any oral or written testimony received at the public hearing has been presented to the Board of Supervisors for its consideration; and

WHEREAS, the Board now desires to approve the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Contra Costa, as follows:

Section 1. The Board hereby finds and declares that the foregoing recitals are true and correct.

Section 2. For purposes of Section 147(f) of the Code, the Board hereby authorizes the issuance of Bonds by the County to provide financing for costs of the Development. The sale and delivery of the Bonds shall be subject to the approval by the Board of all documents related to the Bonds to which the County is a party.

Section 3. The adoption of this Resolution does not (i) relieve or exempt the Borrower from obtaining any permits or approvals that are required by, or determined to be necessary from, the County in connection with the Development, nor (ii) obligate the County to incur any obligation or provide financial assistance with respect to the Bonds or the Development.

Section 4. All actions heretofore taken by the officers and agents of the County with respect to the financing of the Development and the sale and issuance of Bonds are hereby approved, ratified and confirmed, and any authorized officer of the County is hereby authorized and directed, for and in the name and on behalf of the County, to do any and all things and take any and all actions and execute and deliver any and all certificates, agreements and other documents, which any such officer may deem necessary or advisable in order to effectuate the purposes of this Resolution.

Section 5. This Resolution shall take effect upon its adoption.

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

ATTESTED: January 19, 2016

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

Contact: Kristen Lackey (925) 674-7888

By: Stephanie L. Mello, Deputy

cc:


TRANSCRIPT FOR THE TEFRA HEARING**January 4, 2016 9:00 a.m.**

This noticed public hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended. The hearing is on the proposed issuance by the County of Contra Costa of multifamily housing revenue bonds or otherwise borrowing funds (referred to as the "bonds") in an amount not to exceed twenty-three million dollars (\$23,000,000). Proceeds from the sale of the proposed bonds or borrowing will be used to provide financing for costs of the acquisition and construction of a multifamily residential rental housing development known as Riviera Family Apartments (the "Development") by Riviera Family Apartments, LP or another entity to be formed by Resources for Community Development. The Development is a 58 unit rental housing development located at 1515 and 1738 Riviera Avenue (APN Nos. 174-150-076, 174-140-019 and 174-140-025), in the City of Walnut Creek, California.

The Board of Supervisors may consider adoption of a resolution approving the issuance of the bonds or the incurrence of the debt to finance costs of the Development on January 19, 2016. Any comments provided at this hearing will be made available to the Board of Supervisors prior to their taking action on such date or on such later date as the matter may be considered by the Board of Supervisors.

If there are parties present who wish to voice their opinion and provide comments on the issuance of the bonds or the incurrence of debt by the County to finance costs of the Development, or the ownership or operation of the Development, I would ask that they be recognized now by raising their hand. I will then let each person provide any written or oral testimony that they may wish to provide on this matter.

Opened hearing: 9:01 am
Speakers present: 0
Closed hearing: 9:12 am

By: 
Kristen Lackey,
Community Development Bond
Program Manager,
County of Contra Costa

Date: January 4, 2016



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: January 19, 2016

Subject: Multifamily Housing Revenue Bonds - Tabora Gardens

RECOMMENDATION(S):

1. ADOPT Resolution No. 2016/33 authorizing the issuance of Multifamily Housing Revenue Bonds (the "Bonds") in an amount not to exceed \$30,000,000 to provide financing for the costs of acquisition and construction of Tabora Gardens, an 85-unit residential rental housing development located at the Southeast Corner of James Donlon Boulevard and Tabora Drive (APN 072-011-062) in the City of Antioch, California (the "Development").
2. FIND and DECLARE that the recitals contained in the proposed Resolution are true and correct.
3. ACKNOWLEDGE that for purposes of Section 147(f) of the Internal Revenue Code of 1986, authorizing the issuance of Multifamily Housing Revenue Bonds (the "Bonds") to finance the costs of the acquisition and construction of Tabora Gardens is subject to Board of Supervisors approval of all documents related to the Bonds to which the County is a party.
4. ACKNOWLEDGE that adoption of this resolution does not relieve or exempt the borrower from obtaining required permits or approvals, nor obligate the County to incur any obligation or provide financial assistance with respect to the Bonds or the Development; and

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stephanie L. Mello, Deputy

Contact: Kristen Lackey (925)
674-7888

cc:

RECOMMENDATION(S): (CONT'D)

5. AUTHORIZE and DIRECT any authorized officer of the County to do any and all things, take any and all actions, and execute and deliver any and all certificates, agreements, and other documents, which the officer may deem necessary or advisable in order to effectuate the intent of the Resolution. Authorized officers include the Chair of the Board of Supervisors, the Vice-Chair of the Board of Supervisors, County Administrator, the County Director of Conservation and Development, the County Assistant Deputy Director of Conservation and Development, the County's Community Development Bond Program Manager, County Counsel, and other officers of the County.

FISCAL IMPACT:

No impact to the General Fund. In the event that the bonds are issued, the County is reimbursed for costs incurred in the issuance process. Annual expenses for monitoring of Regulatory Agreement provisions ensuring units in the Development will be rented to low income households are accommodated in the bond issue. The bonds will be solely secured by and payable from revenues (e.g. Development rents, reserves, etc.) pledged under the bond documents. No County funds are pledged to secure the bonds.

BACKGROUND:

The recommended action is the adoption of a Resolution by the Board, as the legislative body of the County, authorizing the issuance of Multifamily Housing Revenue Bonds, which will be used to finance the acquisition and construction of Tabora Gardens, an 85-unit rental housing development located at at the Southeast Corner of James Donlon Boulevard and Tabora Drive (APN 072-011-062) in the City of Antioch, California (the "Development").

The Bonds, when issued, will be used to finance the development of Tabora Gardens by Tabora Gardens, L.P., or another entity to be formed by Satellite Affordable Housing Associates (SAHA) who will serve as the Managing General Partner. A to-be-named tax credit investor will be the limited partner.

The proposed financing would implement City of Antioch and County policies to maintain and increase the supply of affordable housing. The City Council passed a resolution acknowledging that the County will assist in the financing of the project. At its December 8, 2015 meeting, the Board of Supervisors approved a Reimbursement (Inducement) Resolution for the Development. The Reimbursement Resolution conditionally provided for the issuance of housing revenue bonds.

The main purpose of the proposed Resolution is to acknowledge that a public hearing was held by the Community Development Bond Program Manager on January 4, 2016, with no public comment, and to meet other bond issuance requirements which are specified in Section 147(f) of the Internal Revenue Code. The proposed bonds cannot be issued until a separate resolution is adopted by the Board of Supervisors specifically authorizing the sale of the bonds. Such separate resolution to authorize the sale of bonds would come before the Board after receipt of an allocation from the State of California for Private Activity Bond Authority. An application for Private Activity Bond Authority will be submitted to the California Debt Limit Allocation Committee on January 15, 2016. The expected timing for a Bond Sale Resolution would be May, 2017.

The proposed resolution would not relieve SAHA or the limited partnership from obtaining other required permits or approvals required by law, nor obligate the County to incur any obligation or provide financial assistance with respect to the Bonds or the Development. Annual expenses of the County related to the monitoring of the Regulatory Agreement are accommodated in the bond issue.

CONSEQUENCE OF NEGATIVE ACTION:

Negative action would prevent the County from meeting the public approval requirement of the Internal Revenue Code for issuing Multifamily Housing Revenue Bonds. As a result, the Multifamily Housing Revenue Bonds could not be issued by the County.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

Resolution No. 2016/33

Tabora TEFRA Transcript

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

Adopted this Resolution on 01/19/2016 by the following vote:

AYE:	<input type="text" value="4"/>	John Gioia Candace Andersen Karen Mitchoff Federal D. Glover
NO:	<input type="text"/>	
ABSENT:	<input type="text" value="1"/>	Mary N. Piepho
ABSTAIN:	<input type="text"/>	
RECUSE:	<input type="text"/>	



Resolution No. 2016/33

Resolution Authorizing the Issuance of Multifamily Housing Revenue Bonds in an Aggregate Principal Amount not to Exceed Thirty Million Dollars (\$30,000,000) for the Purpose of Providing Financing for a Residential Rental Project in Antioch Generally Known as Tabora Gardens Senior Apartments.

WHEREAS, the County of Contra Costa (the "County") is authorized to issue multifamily housing revenue bonds pursuant to Section 52075 and following of the California Health and Safety Code; and

WHEREAS, the County desires to participate in financing costs of the acquisition and construction of an 85-unit residential rental housing development to be known as Tabora Gardens Senior Apartments and to be located at the Southeast corner of James Dolan Boulevard and Tabora Drive (APN 072-011-062) in Antioch, California (the "Development"), which initially will be owned by Tabora Gardens, LP, a California limited partnership, or another entity to be formed by Satellite Affordable Housing Associates (the "Borrower"), and is expected to be initially operated by Satellite Affordable Housing Associates Property Management or another entity selected by the Borrower; and

WHEREAS, to assist in financing the Development, the County intends to sell and issue not to exceed \$30,000,000 principal amount of its multifamily housing revenue bonds (the "Bonds") and to loan the proceeds of the Bonds to the Borrower, thereby assisting in providing housing for low income persons; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Bonds by the County must be approved by an applicable elected representative body with respect to the Development following the conduct of a public hearing on the proposed financing; and

WHEREAS, the Board of Supervisors of the County of Contra Costa (the "Board"), is the elected legislative body of the County and is one of the applicable elected representatives authorized to approve the issuance of the Bonds under Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the Community Development Bond Program Manager of the County has, following notice duly given, held a public hearing regarding the financing of the Development and the issuance of the Bonds, and a summary of any oral or written testimony received at the public hearing has been presented to the Board of Supervisors for its consideration; and

WHEREAS, the Board now desires to approve the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Contra Costa, as follows:

Section 1. The Board hereby finds and declares that the foregoing recitals are true and correct.

Section 2. For purposes of Section 147(f) of the Code, the Board hereby authorizes the issuance of Bonds by the County to provide financing for costs of the Development. The sale and delivery of the Bonds shall be subject to the approval by the Board of all documents related to the Bonds to which the County is a party.

Section 3. The adoption of this Resolution does not (i) relieve or exempt the Borrower from obtaining any permits or approvals that are required by, or determined to be necessary from, the County in connection with the Development, nor (ii) obligate the County to incur any obligation or provide financial assistance with respect to the Bonds or the Development.

Section 4. All actions heretofore taken by the officers and agents of the County with respect to the financing of the Development and the sale and issuance of Bonds are hereby approved, ratified and confirmed, and any authorized officer of the County is hereby authorized and directed, for and in the name and on behalf of the County, to do any and all things and take any and all actions and execute and deliver any an all certificates, agreements and other documents, which any such officer may deem necessary or advisable in order to effectuate the purposes of this Resolution.

Section 5. This Resolution shall take effect upon its adoption.

I hereby certify that this 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: Kristen Lackey (925) 674-7888

ATTESTED: January 19, 2016

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

By: Stephanie L. Mello, Deputy

cc:

TRANSCRIPT FOR THE TEFRA HEARING**January 4, 2016 9:15 a.m.**

This noticed public hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended. The hearing is on the proposed issuance by the County of Contra Costa of multifamily housing revenue bonds in an amount not to exceed thirty million dollars (\$30,000,000). Proceeds from the sale of the proposed bonds will be used to provide financing for costs of the acquisition and construction of a multifamily residential rental housing development to be known as Tabora Gardens Senior Apartments by Tabora Gardena, L.P., a California limited partnership, or another entity to be formed by Satellite Affordable Housing Associates. Tabora Gardens Senior Apartments is to be an 85 unit rental housing development located at the Southeast corner of James Dolan Boulevard and Tabora Drive (APN 072-011-062), in the City of Antioch, California.

The Board of Supervisors may consider adoption of a resolution approving the issuance of the bonds on January 19, 2016. Any comments provided at this hearing will be made available to the Board of Supervisors prior to their taking action on January 19th or on such later date as the matter may be considered by the Board of Supervisors.

If there are parties present who wish to voice their opinion and provide comments on the proposed financing of the development or the issuance of the bonds, I would ask that they be recognized now by raising their hand. I will then let each person provide any written or oral testimony that they may wish to provide on this matter.

Opened hearing:

9:16 am


Speakers present:

0

Closed hearing:

9:25 am

By: _____


Kristen Lackey,
Community Development Bond
Program Manager,
County of Contra Costa

Date: January 4, 2016



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: January 19, 2016

Subject: Multifamily Housing Revenue Bonds - Virginia Lane Apartments, Concord

RECOMMENDATION(S):

1. ADOPT Resolution No. 2016/34 authorizing the issuance of Multifamily Housing Revenue Bonds (the "Bonds") in an amount not to exceed \$22,000,000 to provide financing for the costs of acquisition and rehabilitation of Virginia Lane Apartments, a 91-unit residential rental housing development located at 1121 and 1140 Virginia Lane (APN Nos. 128-210-051-8 and 128-290-066-9) in the City of Concord, California (the "Development").
2. FIND and DECLARE that the recitals contained in the proposed Resolution are true and correct.
3. ACKNOWLEDGE that for purposes of Section 147(f) of the Internal Revenue Code of 1986, authorizing the issuance of Multifamily Housing Revenue Bonds (the "Bonds") to finance the costs of the acquisition and rehabilitation of Virginia Lane Apartments is subject to Board of Supervisors approval of all documents related to the Bonds to which the County is a party.
4. ACKNOWLEDGE that adoption of this resolution does not relieve or exempt the borrower from obtaining required permits or approvals, nor obligate the County to incur any obligation or provide financial assistance with respect to the Bonds or the Development; and

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stephanie L. Mello, Deputy

Contact: Kristen Lackey (925)
674-7888

cc:

RECOMMENDATION(S): (CONT'D)

5. AUTHORIZE and DIRECT any authorized officer of the County to do any and all things, take any and all actions, and execute and deliver any and all certificates, agreements, and other documents, which the officer may deem necessary or advisable in order to effectuate the intent of the Resolution. Authorized officers include the Chair of the Board of Supervisors, the Vice-Chair of the Board of Supervisors, County Administrator, the County Director of Conservation and Development, the County Assistant Deputy Director of Conservation and Development, the County's Community Development Bond Program Manager, County Counsel, and other officers of the County.

FISCAL IMPACT:

No impact to the General Fund. In the event that the bonds are issued, the County is reimbursed for costs incurred in the issuance process. Annual expenses for monitoring of Regulatory Agreement provisions ensuring units in the Development will be rented to low income households are accommodated in the bond issue. The bonds will be solely secured by and payable from revenues (e.g. Development rents, reserves, etc.) pledged under the bond documents. No County funds are pledged to secure the bonds.

BACKGROUND:

The recommended action is the adoption of a Resolution by the Board, as the legislative body of the County, authorizing the issuance of Multifamily Housing Revenue Bonds, which will be used to finance the acquisition and rehabilitation of Virginia Lane Apartments, a 91-unit rental housing development located at 1121 and 1140 Virginia Lane (APN Nos. 128-210-051-8 and 128-290-066-9) in the City of Concord, California (the "Development").

Through a limited partnership that it has sponsored, Eden Housing Inc. (Eden) currently owns the Development and proposes the use of housing revenue bonds to refinance and rehabilitate the project with a new limited partnership, VL, L.P. The Managing General Partner will be Eden, or a related entity, with a tax credit investor as the limited partner.

The proposed financing would implement City of Concord and County policies to maintain and increase the supply of affordable housing. The City Council passed a resolution acknowledging that the County will assist in the financing of the project. At its December 8, 2015 meeting, the Board of Supervisors approved a Reimbursement (Inducement) Resolution for the Development. The Reimbursement Resolution conditionally provided for the issuance of housing revenue bonds.

The main purpose of the proposed Resolution is to acknowledge that a public hearing was held by the Community Development Bond Program Manager on January 4, 2016 with no public comment, and to meet other bond issuance requirements which are specified in Section 147(f) of the Internal Revenue Code. The proposed bonds cannot be issued until a separate resolution is adopted by the Board of Supervisors specifically authorizing the sale of the bonds. Such separate resolution to authorize the sale of bonds would come before the Board after receipt of an allocation from the State of California for Private Activity Bond Authority. An application for Private Activity Bond Authority will be submitted to the California Debt Limit Allocation Committee on January 15, 2016. The expected timing for a Bond Sale Resolution would be May, 2017.

The proposed resolution would not relieve Eden from obtaining other required permits or approvals required by law, nor obligate the County to incur any obligation or provide financial assistance with respect to the Bonds or the Development. Annual expenses of the County related to the monitoring of the Regulatory Agreement are accommodated in the bond issue.

CONSEQUENCE OF NEGATIVE ACTION:

Negative action would prevent the County from meeting the public approval requirement of the Internal Revenue Code for issuing Multifamily Housing Revenue Bonds. As a result, the Multifamily Housing Revenue Bonds could not be issued by the County.

CHILDREN'S IMPACT STATEMENT:

The Virginia Lane Apartments provide 91 units of affordable rental housing appropriate for families. This supports outcome #3: Families are Economically Self Sufficient.

ATTACHMENTS

Resolution No. 2016/34

Virginia Lane TEFRA Transcript

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

Adopted this Resolution on 01/19/2016 by the following vote:

AYE:	<input checked="" type="checkbox"/>	John Gioia
	<input checked="" type="checkbox"/>	Candace Andersen
	<input checked="" type="checkbox"/>	Karen Mitchoff
	<input checked="" type="checkbox"/>	Federal D. Glover
NO:	<input type="checkbox"/>	
ABSENT:	<input checked="" type="checkbox"/>	Mary N. Piepho
ABSTAIN:	<input type="checkbox"/>	
RECUSE:	<input type="checkbox"/>	



Resolution No. 2016/34

Resolution Authorizing the Issuance of Multifamily Housing Revenue Bonds in an Aggregate Principal Amount not to Exceed Twenty-Two Million Dollars (\$22,000,000) for the Purpose of Providing Financing for a Residential Rental Project in Concord Generally Known as Virginia Lane Apartments.

WHEREAS, the County of Contra Costa (the "County") is authorized to issue multifamily housing revenue bonds pursuant to Section 52075 and following of the California Health and Safety Code; and

WHEREAS, the County desires to participate in financing costs of the acquisition and rehabilitation of a 91-unit residential rental housing development generally known as Virginia Lane Apartments and located at 1121 and 1140 Virginia Lane in Concord, California (the "Development"), which initially will be owned by VL, L.P., a California limited partnership, or another entity to be formed by Eden Housing, Inc. (the "Borrower"), and is expected to be initially operated by Eden Housing Management, Inc. or another entity selected by the Borrower; and

WHEREAS, to assist in financing the Development, the County intends to sell and issue not to exceed \$22,000,000 principal amount of its multifamily housing revenue bonds (the "Bonds") and to loan the proceeds of the Bonds to the Borrower, thereby assisting in providing housing for low income persons; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Bonds by the County must be approved by an applicable elected representative body with respect to the Development following the conduct of a public hearing on the proposed financing; and

WHEREAS, the Board of Supervisors of the County of Contra Costa (the "Board"), is the elected legislative body of the County and is one of the applicable elected representatives authorized to approve the issuance of the Bonds under Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the Community Development Bond Program Manager of the County has, following notice duly given, held a public hearing regarding the financing of the Development and the issuance of the Bonds, and a summary of any oral or written testimony received at the public hearing has been presented to the Board of Supervisors for its consideration; and

WHEREAS, the Board now desires to approve the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Contra Costa, as follows:

Section 1. The Board hereby finds and declares that the foregoing recitals are true and correct.

Section 2. For purposes of Section 147(f) of the Code, the Board hereby authorizes the issuance of Bonds by the County to provide financing for costs of the Development. The sale and delivery of the Bonds shall be subject to the approval by the Board of all documents related to the Bonds to which the County is a party.

Section 3. The adoption of this Resolution does not (i) relieve or exempt the Borrower from obtaining any permits or approvals

that are required by, or determined to be necessary from, the County in connection with the Development, nor (ii) obligate the County to incur any obligation or provide financial assistance with respect to the Bonds or the Development.

Section 4. All actions heretofore taken by the officers and agents of the County with respect to the financing of the Development and the sale and issuance of Bonds are hereby approved, ratified and confirmed, and any authorized officer of the County is hereby authorized and directed, for and in the name and on behalf of the County, to do any and all things and take any and all actions and execute and deliver any an all certificates, agreements and other documents, which any such officer may deem necessary or advisable in order to effectuate the purposes of this Resolution.

Section 5. This Resolution shall take effect upon its adoption.

I hereby certify that this 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: Kristen Lackey (925) 674-7888

ATTESTED: January 19, 2016

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

By: Stephanie L. Mello, Deputy

cc:


TRANSCRIPT FOR THE TEFRA HEARING**January 4, 2016 9:30 a.m.**

This noticed public hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended. The hearing is on the proposed issuance by the County of Contra Costa of multifamily housing revenue bonds in an amount not to exceed twenty-two million dollars (\$22,000,000). Proceeds from the sale of the proposed bonds will be used to provide financing for costs of the acquisition and rehabilitation of a multifamily residential rental housing development known as Virginia Lane Apartments by VL, L.P., a California limited partnership, or another entity to be formed by Eden Housing, Inc. Virginia Lane Apartments is a 91 unit rental housing development located at 1121 and 1140 Virginia Lane, in the City of Concord, California.

The Board of Supervisors may consider adoption of a resolution approving the issuance of the bonds on January 19, 2016. Any comments provided at this hearing will be made available to the Board of Supervisors prior to their taking action on January 19th or on such later date as the matter may be considered by the Board of Supervisors.

If there are parties present who wish to voice their opinion and provide comments on the proposed financing of the development or the issuance of the bonds, I would ask that they be recognized now by raising their hand. I will then let each person provide any written or oral testimony that they may wish to provide on this matter.

Opened hearing: 9:31am
Speakers present: 0
Closed hearing: 9:40am

By: 
Kristen Lackey,
Community Development Bond
Program Manager,
County of Contra Costa

Date: January 4, 2016



Contra
Costa
County

To: Board of Supervisors
From: Joseph E. Canciamilla, Clerk-Recorder
Date: January 19, 2016

Subject: Refund Overpayment of Documentary Transfer Tax

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Auditor-Controller to issue a refund of overpayment of documentary transfer tax in the amount of \$303.60 to SPL Express, Inc., 1486 Colorado Blvd., Los Angeles, CA, 90041 (Series # 2015-0224817).

FISCAL IMPACT:

This is a request to refund \$303.60 of over-collected funds. Both the over-payment and reimbursement of documentary transfer tax are from fiscal year 2015-2016 General Fund.

BACKGROUND:

The County Clerk-Recorder received duplicate payments for documentary transfer tax. A grant deed was submitted twice for recording, so the documentary transfer tax was collected twice. Refund in the amount of \$303.60 should be made to: SPL Express, Inc., 1486 Colorado Blvd., Los Angeles, CA 90041, Series # 2015-0224817.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to reimburse the party would cause the company to pay more than legally required for documentary transfer tax.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stephanie L. Mello, Deputy

Contact: Mary Whatford
925-335-7917



Contra
Costa
County

To: Board of Supervisors
From: Gus Kramer, Assessor
Date: January 19, 2016

Subject: Disabled Veterans Property Tax Exemption Refund

RECOMMENDATION(S):

ADOPT Resolution 2016/39 delegating to the Assessor, or designee, the authority to approve claims for refund related to the property tax exemption for the home of a disabled veteran or an unmarried spouse of a deceased disabled veteran; DIRECT Auditor to pay refunds approved by the Assessor in accordance with Revenue and Taxation Code sections 5101 and 5151.

FISCAL IMPACT:

Adoption of the resolution will have minimal fiscal impact. The resolution merely expedites and simplifies the process for disabled veterans and unmarried spouses of deceased disabled veterans to apply for refunds of property taxes based on the disabled veteran exemption. The County's portion of the refund and any applicable interest will be paid from the County's General Fund.

BACKGROUND:

Article XIII of the California Constitution, section 4(a) and Revenue and Taxation Code section 205.5 provide an exemption from *ad valorem* taxation for the home of a disabled veteran or an unmarried spouse of a deceased disabled veteran. For 2015, there is a basic exemption of approximately \$125,000 or a low-income exemption of approximately \$190,000 available to a disabled veteran who, because of an injury incurred in military service is blind in both eyes, has lost the use of two or more limbs, or is totally disabled. An unmarried surviving spouse may also be eligible if the service person died as the result of a service-connected injury or a disease incurred while on active duty in the military.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Stephanie L. Mello, Deputy

Contact: Louis Rivara, 925 313-7504

cc: Bob Campbell, County Auditor-Controller

BACKGROUND: (CONT'D)

>

To receive the disabled veterans' exemption, the veteran or surviving spouse must file a claim for exemption with the Assessor's Office. The Assessor's Office is charged with approving or denying the claim. When a disabled veterans' claim for exemption is retroactively granted and applied, paid property taxes may be cancelled and refunded. Retroactive application of the exemption occurs 1) when property becomes eligible after the lien date or 2) upon a veteran's disability rating or death. Generally, the Assessor may retroactively apply the exemption within four years after the assessment date, resulting in a property tax refund. (Rev. & Tax. Code, § 4831).

As of January 1, 2015, the law changed to allow a refund of property taxes based on the disabled veterans' exemption up to eight years after the date those taxes were paid. However, statute does not authorize the Assessor to make the corrections beyond four years from the assessment date. For this reason, those who seek the exemption for a year that is more than four years after the applicable assessment date must file a claim for refund to be eligible for a property tax refund.

Under state statute, the Board of Supervisors has the authority to approve or deny claims for refund. Revenue and Taxation Code section 4804 permits the Board to delegate this authority to the Assessor. Delegation to the Assessor of the authority to approve claims for refund in this circumstance would streamline the refund process by allowing the Assessor to determine eligibility for the disabled veterans' exemption and promptly grant the claim for property tax refund for those who qualify. Any claims of refund that are not approved by the Assessor would be decided by the Board because this delegation does not permit the Assessor to deny claims for refund. This board order and accompanying resolution supersedes any previous delegation of this authority for claims for refund from disabled veterans who are seeking a refund of taxes under Revenue and Taxation Code section 205.5.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve the requested delegation of authority, the refund process for eligible disabled veterans and the surviving spouses of disabled veterans is likely to be delayed.

ATTACHMENTS

Resolution No. 2016/39

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

Adopted this Resolution on 01/19/2016 by the following vote:

AYE: ☒ **John Gioia**
 ☒ **Candace Andersen**
 ☒ **Karen Mitchoff**
 ☒ **Federal D. Glover**

NO: ☐

ABSENT: ☒ **Mary N. Piepho**

ABSTAIN: ☐

RECUSE: ☐



Resolution No. 2016/39

IN THE MATTER OF: Delegating to the Assessor the Authority to Approve Claims for Refund Based on the Disabled Veterans' Exemption from Ad Valorem Property Taxation. [Cal. Rev. & Tax. Code, §§ 4804, 5096, 5097(a)(4), et seq.].

WHEREAS:

- a. Under Revenue and Taxation Code section 5096 et seq., the Contra Costa County Board of Supervisors is responsible for approving or denying claims for refunds of property taxes based on exemptions;
- b. Revenue and Taxation Code section 4804 permits the Contra Costa County Board of Supervisors to delegate the authority for approving or denying claims for refund to the Assessor, among others;
- c. As of January 1, 2015, Revenue and Taxation Code section 5097 was amended to permit a refund of property taxes based on the disabled veterans' exemption up to eight years after the date those taxes were paid;
- d. Those who seek the disabled veterans' exemption must file a claim for refund to be eligible if the property tax refund relates to a year that is more than four years after the applicable assessment date; and
- e. The Contra Costa County Board of Supervisors desires to expeditiously refund property taxes to disabled veterans and the surviving spouses of disabled veterans who file claims for refund based on the disabled veterans' exemption.

The Board of Supervisors of Contra Costa County **RESOLVES THAT:** The Assessor, or designee, is authorized to approve claims for refund based on the exemption from ad valorem property taxation for disabled veterans or the surviving spouses of disabled veterans. [Cal. Const., art. XIII, § 4(a); Cal. Rev. & Tax. Code, §§ 205.5, 5096, 5097(a)(4) *et seq.*] This board order and accompanying resolution supersedes any previous delegation of this authority relating to the exemption from ad valorem property taxation for disabled veterans or the surviving spouses of disabled veterans. The Contra Costa County Auditor-Controller is required by law to keep a proper record of each act performed under this authorization. The Assessor is to notify the Auditor-Controller of any approval of claims for refund under California Revenue and Taxation Code sections 5096 *et seq.* The Contra Costa County Counsel waives the requirement for the written consent of the county legal advisor for these matters under the provisions of Revenue and Taxation Code section 4804.

I hereby certify that this 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: Louis Rivara, 925 313-7504

ATTESTED: January 19, 2016

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

By: Stephanie L. Mello, Deputy

cc: Bob Campbell, County Auditor-Controller



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: AOD BOARD 2015 ANNUAL REPORT

RECOMMENDATION(S):

Accept Alcohol and Other Drugs Advisory Board 2015 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): Katherine Webster, Acting Chair

Staff person (during the reporting period): Fatima Matal Sol

Reporting Period: January 1, 2015 to December 31, 2015

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016**

☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Stacey M. Boyd, Deputy

Contact: Fatima Mal Sol, 335-3307

cc: T Scott, M Wilhelm, Fatima Matal Sol

BACKGROUND: (CONT'D)

- Activities (1/2 page)
- Accomplishments (1/2 page)
- Attendance/Representation (1/4 page)
- Training/Certification (1/4 page)
- Proposed Work Plan/Objectives for Next Year (1/2 page)

ATTACHMENTS

Annual Report

**Contra Costa County
Alcohol and Other Drugs Advisory Board
2015 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: James Ryan

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 did not adopt new goals and priorities but carried over some items from 2014 which were the following: (1) Reduce Youth Use and Access of Alcohol and Marijuana, and (2) Increase Awareness of Prescription Drug Abuse (PDA). We continued the following Priority Areas: (1) Understand Alcohol and Other Drug (AOD) Related Services for 55+; (2) Promote and support more interaction between the Board and its constituents and (3) Prepare recommendations for the Board of Supervisors (BOS) legislative platform as they relate to AOD.

As in previous years, we sponsored annual campaigns to celebrate recovery and recognize those who combat substance abuse. We supported a variety of National Recovery Month Activities in Contra Costa County. We supported Support4Recovery's resolution from the BOS recognizing September as National Recovery Month and supported their 11th Annual Recovery Walk. After the success of last year, the Youth and Family Committee conducted the 2nd Recovery Walk in West County. Our Board recognized Dr. Stephen Ericksen and Maria Rigazio as this year's "Recovery Champions." We joined the Contra Costa County Prescription Drug Coalition efforts in support of March as Prescription Drug Abuse Prevention Month. On June 9th, the BOS recognized four individuals, one organization and Youth Leadership efforts with our "People Who Make a Difference Awards." The Community Awareness Committee proposed a preliminary timetable for the *Marijuana Speaker Series* to understand and educate the community in anticipation of the *Marijuana Initiative in the 2016 November Ballot*.

Drug Medi-Cal (DMC) Organized Delivery System (ODS) for Substance Use Disorders (SUD)

Currently, the AOD Administration has undertaken the development of a County Implementation Plan (IP) in response to the approval of the DMC Waiver. When approved, the IP will expand service delivery in Contra Costa. We were active participants in the planning process providing feedback to the plan required elements at

Town Hall meetings and in our regular monthly meeting were issues related to SUD treatment, dual diagnosis and peer counseling services were discussed.

Accomplishments:

1)Reduce Youth Use and Access of Alcohol and Marijuana. Last February, following recommendations of a local coalition, we reviewed the issuing of an alcohol license in the Byron area and in a movie theater in Blackhawk. In April, we participated in the process of adding stronger language to the Deemed Approved Ordinance to include Alcopops. In October, we supported AOD prevention youth led programs in the annual Red Ribbon Week Proclamation. Likewise, we monitored State and Local legislation intended to support the needs of youth, such as SB 564, SB140 and SB 24.

2)Increase Awareness of Prescription Drug Abuse (PDA). Prescription drug abuse is still a matter of concern to the Board because deaths by prescription drugs now exceed deaths by illegal drugs across the nation. Concerted activities to increase awareness regarding prescription drug abuse have included: attending CC Prescription Drug Abuse Coalition monthly coalitions meetings, and participating in Local Take Back Days sponsored by the coalition and local law enforcement.

Understand AOD-Related Services for 55+ and BH Integration. We participated in the County's Behavioral Health (BH) Integration SPIDD meetings which focused on current services for older adults; participated in Laura's Law Workgroup and assisted in the selection of the BH Deputy Director and AOD Chief.

Promote and Support More Interactions between the Board and its Constituents: We held a booth at the Safe City Summer Crime Prevention Expo West County, participated in Recovery Month activities and through some Board members' involvement the community event *Soulful Softball Sunday* that promote positive interactions in the community was supported.

Prepare Recommendations for the Board of Supervisors Legislative Platform as they Relate to AOD: The Public Policy Committee prepared AOD related policy recommendations, reviewed and analyzed bills that were consistent with the BOS Adopted Platforms. Of the 23 State Senate and Assembly bills tracked 10 were supported by the Policy Committee and two were not supported.

Advisory Board Challenges: We met during eleven months in 2015 and canceled one meeting due to lack of quorum. This year we faced leadership challenges that impacted member's engagement in Board activities; however, we held two Board Retreats.

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 2016: We plan to address new goals and priorities for 2016 next year, which will include a focus preparing for possible State legislation of recreational marijuana and full participation in the DMC-ODS Implementation Plan. 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: David O. Livingston, Sheriff-Coroner
Date: January 19, 2016

Subject: Purchase Order for Software - Dell

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner (1) a purchase order with Dell Inc., for a three year term, in an amount not to exceed \$918,915 to purchase Microsoft Office 365 software, hosting, and support services for the Office of the Sheriff, and (2) a Microsoft Enterprise Enrollment agreement with Microsoft Corporation for the Office of the Sheriff to receive Microsoft Office 365 software, hosting, and support services for the period January 19, 2016 to January 19, 2019.

FISCAL IMPACT:

\$918,915. 100% General Fund; Budgeted

BACKGROUND:

The Office of the Sheriff has traditionally been a Novell customer for file sharing and e-mail applications. It has become increasingly difficult for the Office of the Sheriff to obtain public safety applications that interface directly with Novell applications. Microsoft is the standard in the industry and the Office of the Sheriff would like to move to Microsoft for its e-mail and file sharing applications. Using Microsoft



APPROVE



OTHER



RECOMMENDATION OF CNTY



RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **01/19/2016**



APPROVED AS
RECOMMENDED



OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE:

John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT:

Mary N. Piepho, District III Supervisor

By: Stacey M. Boyd, Deputy

Contact: Liz Arbuckle (925)
335-1529

BACKGROUND: (CONT'D)

Office 365 applications would allow the Office of the Sheriff to centralize many of its software applications into one. For instance, Office 365 and Sharepoint would enable the Office of the Sheriff to replace its Legacy Disc-Image application. Office 365 would also allow the Office of the Sheriff to run mobile management software to track mobile computers and data could be shared seamlessly with outside vendors while controlling access to that data.

Office 365 would enable the Office of the Sheriff to be on the latest version of the Microsoft applications while providing significant storage of the existing internal storage systems. The Office of the Sheriff will be using Microsoft's Government Community Cloud Services for its e-mail application. Using the Government Community Cloud Services for e-mail will provide built in disaster recovery and fault tolerant systems.

CONSEQUENCE OF NEGATIVE ACTION:

The Sheriff's Office will not have authorization to procure needed Microsoft software applications necessary for the day-to-day business of the department.

CHILDREN'S IMPACT STATEMENT:

No impact.



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: January 19, 2016

Subject: Revisions to the Contra Costa Council on Homelessness (Rules for the Conduct of Business)

RECOMMENDATION(S):

APPROVE the change of the name of the Contra Costa Inter-jurisdictional Council on Homelessness to the Contra Costa Council on Homelessness; and

APPROVE the Contra Costa Council on Homelessness By-Laws (Rules for the Conduct of Business); and

APPROVE the change in the appointment terms from two years expiring on March 31 of even numbered years to two year terms expiring on December 31st, with half the seats expiring in even numbered years and half the seats expiring in odd numbered years; and

ADD a Philanthropy Representative, Education and Vocational Services Representative, Homeless Housing Provider, Emergency Solutions Grants Representative, Veterans Administration Representative and a Behavioral Health Representative seat; and

DECLARE the Consumer 1, Consumer 2, Health Care Representative, Law Enforcement Representative, Non-Profit Developer or Homeless Service Provider, Consumer Advocate, and the Faith Community Representative seats vacant; and

DELETE the Consumer 1 and the Consumer Advocate seats; and

RENAME ten other seats as shown:

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016**

☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II 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: January 19, 2016

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

ABSENT: Mary N. Piepho, District III Supervisor

By: Stephanie L. Mello, Deputy

Contact: Lavonna Martin, 313-7704

cc: T Scott, M Wilehm, JOanne Sanchez-Rosa

RECOMMENDATION(S): (CONT'D)

Current Name	New Name
Housing Provider	Public Housing Authority
County Government #1	Government Seat #1
County Government #2	Government Seat #2
At-Large No. 1	Community Member Seat #1
At-Large No. 2	Community Member Seat #2
At-Large No. 3	Community Member Seat #3
Law Enforcement Representative	Public Safety Representative
Non-Profit Developer or Homeless Service Provider	CoC/ESG Program Grantee
Consumer 2	Consumer/Consumer Advocate
Consumer - Alternate	Consumer/Consumer Advocate-Alternate

FISCAL IMPACT: The revision and endorsement of the Council on Homelessness By-Laws will allow the County to meet federal requirements for funding to prevent and end homelessness. There is no match requirement and no additional County funds are required.

BACKGROUND:

The Continuum of Care (CoC) Program interim rule requires by-laws to be developed by the Homeless Management Information System (HMIS) lead, the CoC, and the collaborative applicant. The by-laws must include:

- All of the policies and procedures that are required to comply with the requirements designated to the CoC in Subpart B of the interim rule;
- All policies and procedures required to comply with the HMIS requirements; and

• A code of conduct and recusal process for the board, its chair, and other persons acting on behalf of the board
Because some of the requirements in Subpart B of the CoC Program interim rule are new, the by-laws need to be updated to consider all additional requirements in Subpart B. Further, the CoC Program interim rule requires that the by-laws be reviewed annually and updated as needed. In March of 2015, the Advisory Board formed an Ad Hoc Committee to address these requirements and align the by-laws with the current goals of the CoC. On June 11, 2015 the Advisory Board moved to approve the suggested edits to the by-laws from the Ad Hoc Committee.

The following highlights the key changes from the 2013 by-laws:

- Modifying the name of the Continuum of Care from the “Contra Costa Inter-jurisdictional Council on Homelessness” to the “Contra Costa Continuum of Care” for clarity and simplicity;
- Modifying the name from the “Contra Costa Inter-jurisdictional Council on Homelessness Advisory Board” to the “Contra Costa Council on Homelessness” for clarity and simplicity;
- Council member terms are to be modified so that each seat will have a term of two years expiring on December 31 of alternating years to be compliant with the interim rule. There is a maximum of two consecutive terms in the same seat.

Approval of the revised by-laws by the Board of Supervisors will reaffirm Contra Costa’s goal of preventing and ending homelessness. A coordinated response to homelessness is in alignment with the requirements of federal funding sources for homeless assistance, and will effect change through improved outcomes for persons experiencing homelessness, as well as improved competitiveness in national competitions for federal funding sources.

The proposed Contra Costa Council on Homelessness roster, after all changes, is shown below:

Current Proposed

	Seat Name	Appointee	Term Expiration	New Term Expiration
1	Behavioral Health Representative	Vacant		12/31/2017
2	CoC/ESG Program Grantee	Vacant	3/31/16	12/31/2016
3	Community Member Seat #1	Teri House	3/31/16	12/31/2016
4	Community Member Seat #2	Vacant	3/31/16	12/31/2017
5	Community Member Seat #3	Janet Kennedy	3/31/16	12/31/2016
6	Consumer/Consumer Advocate **	Vacant	3/31/16	12/31/2017
7	Education and Vocational Services Representative	Vacant		12/31/2017
8	Emergency Solutions Grants Representative	Vacant		12/31/2017
9	Faith Community Representative	Vacant	3/31/16	12/31/2016
10	Government Seat #1	Kevin Corrigan	3/31/16	12/31/2016
11	Government Seat #2	Brenda Kain	3/31/16	12/31/2016
12	Health Care Representative	Vacant	3/31/16	12/31/2016
13	Homeless Housing Provider	Vacant		12/31/2017
14	Philanthropy Representative	Vacant		12/31/2017
15	Public Housing Authority	Joseph Villarreal	3/31/16	12/31/2016
16	Public Safety Representative	Vacant	3/31/16	12/31/2017
17	Veterans Administration Representative	Vacant		12/31/2017
18	Consumer/Consumer Advocate - Alternate **	Valerie Sloven	3/31/16	12/31/2016

** The appointees to the Consumer/Consumer Advocate and Alternate seats should have a lived experience of homelessness.

CONSEQUENCE OF NEGATIVE ACTION: The County may be in jeopardy of losing funding due to non-compliance with the Continuum of Care (CoC) Program interim rule. CHILDREN'S IMPACT STATEMENT: Not applicable ATTACHMENTS Revised Bylaws - Final Revised Bylaws - Redline version



Contra Costa Council on Homelessness
By-Laws
(Rules for the Conduct of Business)

Approved and Adopted by the Contra Costa Council on Homelessness on:

Approved and Adopted by the Contra Costa Board of Supervisors on: _____

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Article I. Name of the Continuum of Care and the Contra Costa Council on Homelessness

Section 1. CONTRA COSTA CONTINUUM OF CARE

The name of this Continuum of Care (CoC) shall be the Contra Costa Continuum of Care, herein referred to as the Continuum of Care or the CoC. The Contra Costa Continuum of Care includes the full general membership of all community members committed to our guiding principle.

Section 2. CONTRA COSTA COUNCIL ON HOMELESSNESS

The name of this Continuum of Care's governing body shall be the Contra Costa Council on Homelessness, herein referred to as the Council on Homelessness or the Council. The Council is comprised of the members serving in the seats outlined in Article IV. Council Membership and Committees.

Article II. Overview and Mission

The Council is committed to the Housing First approach, and has established this Guiding Principle:

"Homelessness is first a housing issue, and necessary supports and services are critical to help people remain housed. Our system must be nimble and flexible enough to respond through the shared responsibility, accountability, and transparency of the community."

The CoC has identified two goals and three strategies for the implementation of this Guiding Principle:

- Goal 1: Permanent Housing
- Goal 2: Prevention
- Strategy 1: Coordinated Assessment
- Strategy 2: Performance Standards
- Strategy 3: Communication

The Contra Costa Council on Homelessness, serving at the pleasure of the Board of Supervisors, provides advice and input on the operations of homeless services, program operations, and program development efforts in Contra Costa County. Further, the Council on Homelessness establishes the local process for applying, reviewing and prioritizing project applications for funding in HUD Homeless Assistance Grant Competitions, including the Continuum of Care (CoC) Program and the Emergency Solutions Grant (ESG) Program. The Council will review, update, and approve the Council on Homelessness Governance Charter at least annually and will update these By-Laws when appropriate.

The Contra Costa Council on Homelessness provides a forum for the Continuum of Care to communicate about the implementation of strategies to prevent and end homelessness. The purpose of the forum is to educate the community on homeless issues, and advocate on federal, state, county and city policy issues that affect people who are homeless or at-risk of homelessness.

Article III. Council on Homelessness Responsibilities

Section 1. FUNCTIONS AND TASKS

The Contra Costa Council on Homelessness is the planning body that coordinates the community's policies, strategies, and activities toward preventing and ending homelessness in Contra Costa County, California. It is a regional, year-round collective planning body of stakeholders ranging from non-profit service providers to local governmental entities. The Council's work includes gathering and analyzing information in order to determine the local needs of people experiencing homelessness, implementing strategic responses, educating the community on homeless issues, providing advice and input on the operations of homeless services, and measuring performance as related to serving the homeless population in Contra Costa County.

The responsibilities of the Council include the development and implementation of all procedures and policies needed to comply with the HEARTH Act and relevant HUD regulations and guidance (see C.F.R §578.7). The Council must consult with recipients of CoC and ESG funds within Contra Costa County and other homeless service providers in order to coordinate care.

Further, it is the role of the Council to provide oversight and take direct action in the following areas:

A. COUNCIL ON HOMELESSNESS PLANNING

1. Policies and Procedures

- i. Develop, follow, and update these By-Laws.
- ii. Develop, follow, and update annually the Council on Homelessness Governance Charter.
- iii. Vote on any action items that arise at Council on Homelessness meetings.

- iv. Review, rank, and recommend CoC and ESG Program Applications for submission to the Board of Supervisors, the CA Department of Housing and Community Development, and the U.S. Department of Housing and Urban Development.
- 2. Systems Development
 - i. Implement a coordinated entry system focusing on quality assurance, access, interdependency between programs and interdependency between programs and clients, and addressing barriers.
 - ii. Develop and implement written standards for providing CoC assistance, including written policies and procedures as required by HUD.
- 3. Data, Analysis, and Evaluation
 - i. Point-in-Time Count

Plan for and conduct, at least biennially, a point-in-time count of homeless persons within Contra Costa County that meets HUD requirements, including a housing inventory of shelters, transitional housing, and permanent housing reserved for homeless persons, in general, and chronically homeless persons and veterans, specifically, as HUD requires.
 - ii. HMIS

Design and operate the Contra Costa County Homeless Management Information System (Contra Costa HMIS) Project. Designate a single HMIS lead agency. Ensure consistent participation in HMIS by recipients and sub-recipients, and that the HMIS is administered pursuant to all HUD requirements. In compliance with Sub-part B and the HMIS requirements, the HMIS Governance Charter, Policies and Procedures, and the Data Security, Quality, and Client Data and Privacy Plans outline specific details as to the relationship between the Council on Homelessness and the collaborative applicant, namely the Contra Costa County Behavioral Health Homeless Program. These By-Laws fully incorporate those standards, policies, and plans.

iii. Performance Measurement

Develop performance measures that can be used to inform a variety of tasks, including CoC Program competition project scoring and reporting; determining how federal, state, and local funds should be utilized; and, creating a responsive system that provides constructive support promoting efficiency by analyzing and responding to gaps in housing and service interventions offered in the system. Additionally, the Council will:

1. Set targets that focus on real change, and are meaningful (relevant to the desired impact), measurable, realistic (adaptable and flexible), and regularly assessed.
 2. Consult with recipients and sub-recipients, evaluate their performance, and take action against poor performers.
- iv. Conduct an initial comprehensive assessment in coordination with ESG Program, and then annually conduct a gaps analysis of the needs of homeless people, as compared to available housing and services within Contra Costa County.
- v. Facilitate and support the reporting of outcomes of CoC and ESG programs to HUD in coordination with the Collaborative Applicant.

B. FUNDING COORDINATION

1. Facilitate and support the development of funds and resources for homeless services in Contra Costa County in partnership with local jurisdictions located in Contra Costa County. Specifically, the Council will:
 - i. Provide information required to complete the Consolidated Plan(s) within Contra Costa County.
 - ii. Consult with State and local government ESG recipients within Contra Costa County on the plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and subrecipients. Further, in consultation with recipients of ESG funds within Contra Costa County,

establish and consistently follow written standards for providing homeless services and housing assistance.

C. COMMUNITY ENGAGEMENT

1. Facilitate a forum for Healthcare for the Homeless partners to voice the concerns of the people they serve. Discuss issues relating to access to health care for homeless persons.
 - i. Analyze biannual reports from the Consumer Advisory Board and make recommendations to the Board of Supervisors and cities located in Contra Costa County concerning those issues.
 - ii. Evaluate the operation of Healthcare for the Homeless and make recommendations on how service delivery can be made more responsive to the needs of the homeless community.
2. Encourage and develop public understanding and education on homeless and housing issues in relationship to identified strategies.
3. Advise the Board of Supervisors, the Behavioral Health Director, and the Health Services Director, on the special needs of the homeless and matters of urgency regarding homelessness. Specifically, the Council will:
 - i. Provide advocacy on homeless concerns to the Board of Supervisors and cities located in Contra Costa County.
4. Make recommendations about long-range planning and policy formulation to the Board of Supervisors and cities located in Contra Costa County.

Section 2. TRANSPARENCY AND DIVERSITY

The Council encourages all members of the community to participate in group discussions and working groups. The Council ensures a diverse population contributes to deliberations and decision-making—including consumers and community members—as well as gender, ethnic, cultural, and geographical representation. To align with this effort, the Council conducts an annual recruitment effort by advertising open positions. Further, all interested persons are encouraged to attend meetings, provide input, and voice concerns to the Council.

The Council follows all provisions of the Brown Act and the Better Government Ordinance in its conduct as a public body. CoC membership is open to any interested party upon request. Further, anyone interested in sitting on the Council may submit an application in compliance with the process established by the Contra Costa County Board of Supervisors.

Article IV. Council Membership and Committees

Section 1. ELIGIBILITY

All members of the Contra Costa Council on Homelessness must reside in or be employed in Contra Costa County.

All members of the Council shall demonstrate a professional interest in, or personal commitment to addressing and alleviating the impact of homelessness on the people of the County of Contra Costa.

Section 2. MEMBERSHIP

Membership on the Council will be as shown in the chart below. The Council will make an invitation for new members to join publically available annually. Each seat will have a term of two years expiring in alternating years:

Area of Representation

- | | |
|---|--|
| 1. Behavioral Health Representative | 10. Government Seat #1 |
| 2. CoC/ESG Program Grantee | 11. Government Seat #2 |
| 3. Community Member Seat #1 | 12. Health Care Representative |
| 4. Community Member Seat #2 | 13. Homeless Housing Provider |
| 5. Community Member Seat #3 | 14. Philanthropy Representative |
| 6. Consumer/Consumer Advocate* | 15. Public Housing Authority |
| 7. Education and Vocational Services Representative | 16. Public Safety Representative |
| 8. Emergency Solutions Grants Representative | 17. Veterans Administration Representative |
| 9. Faith Community Representative | 18. Consumer/Consumer Advocate Alternate* |

* The appointees to the Consumer/Consumer Advocate Seat and Alternate Seat must have a lived experience of homelessness (i.e., be homeless or formerly homeless).

All representatives appointed by the Board of Supervisors serve at the pleasure of the Board of Supervisors and may have their appointments rescinded by majority vote of the Board of Supervisors.

In addition to the seats that have already been designated, outreach will be made to specifically obtain participation from the following groups: *veterans' rights advocates, victim service providers, school districts, colleges and universities, social service providers, and mental health agencies.*

In addition to the above requirements, both public- and private-sector seats should, as much as possible, include representation from organizations or agencies who serve various homeless subpopulations such as: *persons with chronic substance abuse issues, persons with serious mental illness, persons experiencing chronic homelessness, persons with HIV/AIDS, veterans, families with children, unaccompanied youth, victims of domestic violence, dating violence, sexual assault, and stalking, and seniors.*

Section 3. SELECTION PROCESS

The Council will review all eligible applications for open seats annually. The Council will recommend new members through majority vote. This selection process will be reviewed by the CoC every five years at a minimum.

Section 4. OFFICERS

The Council shall elect one chair and one vice-chair to provide for the operation and conduct of business. Terms for the Officers shall be two years. Officers may serve no more than two consecutive terms in the same Council seat.

Officers may recommend and implement policies governing the business and operation of the Council.

The Chair of the Council shall provide oversight for the operation of the Council. The Chair shall preside over meetings of the Council. The Chair may call for special meetings of the Council or its committees.

The Vice-Chair shall provide oversight for the operations of all sub-committees. If the Chair is absent, or the office is vacant, the Vice-Chair shall assume responsibility for the operation of the Council.

Section 5. ELIGIBILITY CRITERIA

In addition to residency requirements, to be eligible for Council membership:

A person must contribute unique expertise, opinions, and viewpoints on homeless issues. Where a potential Council member represents a coalition, consortium, association, neighborhood group, or voluntary organization, the nominee must represent to the Council the group's mission, in addition to the various viewpoints personally held by the nominee.

Section 6. WHEN A SEATED MEMBER NO LONGER MEETS THE ELIGIBILITY CRITERIA

If a seated Council member no longer meets the eligibility criteria, the Council:

- A. May request the Council member to submit a statement of resignation to the Council within 30 days of the change.
- B. May recommend to the Board of Supervisors the removal of the member and the subsequent appointment of an eligible nominee selected by the Council.
- C. May, where there is no apparent candidate to fill the seat, continue the seated member's participation, with or without limitation, until an eligible candidate is found.
- D. A designated Council member, or staff, if any, may, where a resignation is not forthcoming, contact the seated Council member who no longer meets the eligibility criteria.

Section 7. MEETINGS AND ATTENDANCE

The Council will set an annual meeting schedule. The Council will meet monthly and the full membership of the Continuum of Care will convene quarterly with published agendas.

Two absences, excused or unexcused, from the regularly scheduled Council meeting in a rolling 12-month period will warrant inquiry from the Council as to ability and interest of the individual in continuing as a member. Three absences, excused or unexcused, within a rolling 12-month period from time of appointment will result in a recommendation to the Board of Supervisors that this member be removed from the Council.

Any Council member unable to attend a meeting should notify the Chair of the Council or its administrative designee.

The Chair of the Council or its administrative designee will maintain attendance records, and notify the Council when two absences are recorded.

Section 8. VOTING MEMBERS

A quorum of 50% plus one of the seated Council members is required for the conduct of business. Decisions must be made by an affirmative vote of 50% plus one Council member present during a Council meeting.

Section 9. AMENDMENT AND REVIEW

The Council will review the Governance Charter and By-laws at least annually and update and approve as needed. Amendment requires a majority vote of the Council at a regularly scheduled Council meeting, provided that notice of the scheduled vote on the amendment was provided at least two weeks prior to that Council meeting.

Amendment of the Council on Homelessness Governance Charter and By-laws requires an affirmative vote of two-thirds majority of current sitting Council members. Amendments to the By-Laws must be submitted to the Contra Costa County Board of Supervisors for approval. An amendment of the By-Laws takes effect only upon approval by the Board of Supervisors.

Section 10. COMMITTEE STRUCTURE AND OPERATIONS

- A. There is only one Council on Homelessness standing committee: the Consumer Advisory Board Committee. This committee is charged with providing information to the Council on the effectiveness of the various services, assisting with identification of gaps in services, providing feedback to the Council from other consumers, and bringing forward for discussion and possible presentation to the Council, ideas and strategies for preventing and ending homelessness from a consumer's viewpoint.
- B. The Council may create ad hoc committees as the need arises. The purpose of these ad hoc committees will be to develop recommended solutions to the specific issue for which they were created. The ad hoc committees may be comprised of members of the CoC and outside individuals. Ad hoc committees may be dissolved upon a vote of the Council.
- C. The Council may create an ad hoc nominating committee to make recommendations on the filling of vacancies. The ad hoc nominating committee will solicit and assess applicants, rank them in order of preferred appointment, and submit these recommendations to the Council for approval. The Council will submit final recommendations to the Board of Supervisors.
- D. Ad hoc committees can be appointed to address any matters within the jurisdiction of the Council.

Article V. Conduct & Conflict of Interest

Section 1. CONDUCT

Each Council member will uphold certain standards of performance and good conduct and avoid real or apparent conflicts of interest. In order to prevent a conflict of interest, a Council member, chairperson, employee, agent, or consultant of the Council may not:

- A. Influence decisions concerning the selection or award of a grant or other financial benefit to an organization that the Council member, employee, officer, or agent has a financial or other interest in or represents, except for the Council itself.
- B. Solicit and/or accept gifts or gratuities by anyone for their personal benefit in excess of minimal value.
- C. Engage in any behavior demonstrating an actual conflict of interest or giving the appearance of any such conflict.

Section 2. CONFLICT OF INTEREST

All Council members must file an initial and annual conflict of interest statement with the filing officer designated in the code. Failure to file such a statement may result in the removal of a member.



**Contra Costa Council on Homelessness
By-Laws
(Rules for the Conduct of Business)**

Approved and Adopted by the Contra Costa Council on Homelessness on:

Approved and Adopted by the Contra Costa Board of Supervisors on: _____

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Article I. Name of the Continuum of Care and the Contra Costa Council on Homelessness

Section 1. CONTRA COSTA CONTINUUM OF CARE

The name of this Continuum of Care (CoC) shall be the Contra Costa Continuum of Care, herein referred to as the Continuum of Care or the CoC. The Contra Costa Continuum of Care includes the full general membership of all community members committed to our guiding principle.

Section 2. CONTRA COSTA COUNCIL ON HOMELESSNESS

The name of this Continuum of Care's governing body shall be the Contra Costa Council on Homelessness, herein referred to as the Council on Homelessness or the Council. The Council is comprised of the members serving in the seats outlined in Article IV. Council Membership and Committees.

Article II. Overview and Mission

The Council is committed to the Housing First approach, and has established this Guiding Principle:

"Homelessness is first a housing issue, and necessary supports and services are critical to help people remain housed. Our system must be nimble and flexible enough to respond through the shared responsibility, accountability, and transparency of the community."

The CoC has identified two goals and three strategies for the implementation of this Guiding Principle:

- Goal 1: Permanent Housing
- Goal 2: Prevention
- Strategy 1: Coordinated Assessment
- Strategy 2: Performance Standards
- Strategy 3: Communication

The Contra Costa Council on Homelessness, serving at the pleasure of the Board of Supervisors, provides advice and input on the operations of homeless services, program operations, and program development efforts in Contra Costa County. Further, the Council on Homelessness establishes the local process for applying, reviewing and prioritizing project applications for funding in HUD Homeless Assistance Grant Competitions, including the Continuum of Care (CoC) Program and the Emergency Solutions Grant (ESG) Program. The Council will review, update, and approve the Council on Homelessness Governance Charter at least annually and will update these By-Laws when appropriate.

The Contra Costa Council on Homelessness provides a forum for the Continuum of Care to communicate about the implementation of strategies to prevent and end homelessness. The purpose of the forum is to educate the community on homeless issues, and advocate on federal, state, county and city policy issues that affect people who are homeless or at-risk of homelessness.

Article III. Council on Homelessness Responsibilities

Section 1. FUNCTIONS AND TASKS

The Contra Costa Council on Homelessness is the planning body that coordinates the community's policies, strategies, and activities toward preventing and ending homelessness in Contra Costa County, California. It is a regional, year-round collective planning body of stakeholders ranging from non-profit service providers to local governmental entities. The Council's work includes gathering and analyzing information in order to determine the local needs of people experiencing homelessness, implementing strategic responses, educating the community on homeless issues, providing advice and input on the operations of homeless services, and measuring performance as related to serving the homeless population in Contra Costa County.

The responsibilities of the Council include the development and implementation of all procedures and policies needed to comply with the HEARTH Act and relevant HUD regulations and guidance (see C.F.R §578.7). The Council must consult with recipients of CoC and ESG funds within Contra Costa County and other homeless service providers in order to coordinate care.

Further, it is the role of the Council to provide oversight and take direct action in the following areas:

A. COUNCIL ON HOMELESSNESS PLANNING

1. Policies and Procedures

- i. Develop, follow, and update these By-Laws.
- ii. Develop, follow, and update annually the Council on Homelessness Governance Charter.
- iii. Vote on any action items that arise at Council on Homelessness meetings.

- iv. Review, rank, and recommend CoC and ESG Program Applications for submission to the Board of Supervisors, the CA Department of Housing and Community Development, and the U.S. Department of Housing and Urban Development.
- 2. Systems Development
 - i. Implement a coordinated entry system focusing on quality assurance, access, interdependency between programs and interdependency between programs and clients, and addressing barriers.
 - ii. Develop and implement written standards for providing CoC assistance, including written policies and procedures as required by HUD.
- 3. Data, Analysis, and Evaluation
 - i. Point-in-Time Count

Plan for and conduct, at least biennially, a point-in-time count of homeless persons within Contra Costa County that meets HUD requirements, including a housing inventory of shelters, transitional housing, and permanent housing reserved for homeless persons, in general, and chronically homeless persons and veterans, specifically, as HUD requires.
 - ii. HMIS

Design and operate the Contra Costa County Homeless Management Information System (Contra Costa HMIS) Project. Designate a single HMIS lead agency. Ensure consistent participation in HMIS by recipients and sub-recipients, and that the HMIS is administered pursuant to all HUD requirements. In compliance with Sub-part B and the HMIS requirements, the HMIS Governance Charter, Policies and Procedures, and the Data Security, Quality, and Client Data and Privacy Plans outline specific details as to the relationship between the Council on Homelessness and the collaborative applicant, namely the Contra Costa County Behavioral Health Homeless Program. These By-Laws fully incorporate those standards, policies, and plans.

iii. Performance Measurement

Develop performance measures that can be used to inform a variety of tasks, including CoC Program competition project scoring and reporting; determining how federal, state, and local funds should be utilized; and, creating a responsive system that provides constructive support promoting efficiency by analyzing and responding to gaps in housing and service interventions offered in the system. Additionally, the Council will:

1. Set targets that focus on real change, and are meaningful (relevant to the desired impact), measurable, realistic (adaptable and flexible), and regularly assessed.
 2. Consult with recipients and sub-recipients, evaluate their performance, and take action against poor performers.
- iv. Conduct an initial comprehensive assessment in coordination with ESG Program, and then annually conduct a gaps analysis of the needs of homeless people, as compared to available housing and services within Contra Costa County.
- v. Facilitate and support the reporting of outcomes of CoC and ESG programs to HUD in coordination with the Collaborative Applicant.

B. FUNDING COORDINATION

1. Facilitate and support the development of funds and resources for homeless services in Contra Costa County in partnership with local jurisdictions located in Contra Costa County. Specifically, the Council will:
 - i. Provide information required to complete the Consolidated Plan(s) within Contra Costa County.
 - ii. Consult with State and local government ESG recipients within Contra Costa County on the plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and subrecipients. Further, in consultation with recipients of ESG funds within Contra Costa County,

establish and consistently follow written standards for providing homeless services and housing assistance.

C. COMMUNITY ENGAGEMENT

1. Facilitate a forum for Healthcare for the Homeless partners to voice the concerns of the people they serve. Discuss issues relating to access to health care for homeless persons.
 - i. Analyze biannual reports from the Consumer Advisory Board and make recommendations to the Board of Supervisors and cities located in Contra Costa County concerning those issues.
 - ii. Evaluate the operation of Healthcare for the Homeless and make recommendations on how service delivery can be made more responsive to the needs of the homeless community.
2. Encourage and develop public understanding and education on homeless and housing issues in relationship to identified strategies.
3. Advise the Board of Supervisors, the Behavioral Health Director, and the Health Services Director, on the special needs of the homeless and matters of urgency regarding homelessness. Specifically, the Council will:
 - i. Provide advocacy on homeless concerns to the Board of Supervisors and cities located in Contra Costa County.
4. Make recommendations about long-range planning and policy formulation to the Board of Supervisors and cities located in Contra Costa County.

Section 2. TRANSPARENCY AND DIVERSITY

The Council encourages all members of the community to participate in group discussions and working groups. The Council ensures a diverse population contributes to deliberations and decision-making—including consumers and community members—as well as gender, ethnic, cultural, and geographical representation. To align with this effort, the Council conducts an annual recruitment effort by advertising open positions. Further, all interested persons are encouraged to attend meetings, provide input, and voice concerns to the Council.

The Council follows all provisions of the Brown Act and the Better Government Ordinance in its conduct as a public body. CoC membership is open to any interested party upon request. Further, anyone interested in sitting on the Council may submit an application in compliance with the process established by the Contra Costa County Board of Supervisors.

Article IV. Council Membership and Committees

Section 1. ELIGIBILITY

All members of the Contra Costa Council on Homelessness must reside in or be employed in Contra Costa County.

All members of the Council shall demonstrate a professional interest in, or personal commitment to addressing and alleviating the impact of homelessness on the people of the County of Contra Costa.

Section 2. MEMBERSHIP

Membership on the Council will be as shown in the chart below. The Council will make an invitation for new members to join publically available annually. Each seat will have a term of two years expiring in alternating years:

Area of Representation

- | | |
|---|--|
| 1. Behavioral Health Representative | 10. Government Seat #1 |
| 2. CoC/ESG Program Grantee | 11. Government Seat #2 |
| 3. Community Member Seat #1 | 12. Health Care Representative |
| 4. Community Member Seat #2 | 13. Homeless Housing Provider |
| 5. Community Member Seat #3 | 14. Philanthropy Representative |
| 6. Consumer/Consumer Advocate* | 15. Public Housing Authority |
| 7. Education and Vocational Services Representative | 16. Public Safety Representative |
| 8. Emergency Solutions Grants Representative | 17. Veterans Administration Representative |
| 9. Faith Community Representative | 18. Consumer/Consumer Advocate Alternate* |

* The appointees to the Consumer/Consumer Advocate Seat and Alternate Seat must have a lived experience of homelessness (i.e., be homeless or formerly homeless).

All representatives appointed by the Board of Supervisors serve at the pleasure of the Board of Supervisors and may have their appointments rescinded by majority vote of the Board of Supervisors.

In addition to the seats that have already been designated, outreach will be made to specifically obtain participation from the following groups: *veterans' rights advocates, victim service providers, school districts, colleges and universities, social service providers, and mental health agencies.*

In addition to the above requirements, both public- and private-sector seats should, as much as possible, include representation from organizations or agencies who serve various homeless subpopulations such as: *persons with chronic substance abuse issues, persons with serious mental illness, persons experiencing chronic homelessness, persons with HIV/AIDS, veterans, families with children, unaccompanied youth, victims of domestic violence, dating violence, sexual assault, and stalking, and seniors.*

Section 3. SELECTION PROCESS

The Council will review all eligible applications for open seats annually. The Council will recommend new members through majority vote. This selection process will be reviewed by the CoC every five years at a minimum.

Section 4. OFFICERS

The Council shall elect one chair and one vice-chair to provide for the operation and conduct of business. Terms for the Officers shall be two years. Officers may serve no more than two consecutive terms in the same Council seat.

Officers may recommend and implement policies governing the business and operation of the Council.

The Chair of the Council shall provide oversight for the operation of the Council. The Chair shall preside over meetings of the Council. The Chair may call for special meetings of the Council or its committees.

The Vice-Chair shall provide oversight for the operations of all sub-committees. If the Chair is absent, or the office is vacant, the Vice-Chair shall assume responsibility for the operation of the Council.

Section 5. ELIGIBILITY CRITERIA

In addition to residency requirements, to be eligible for Council membership:

A person must contribute unique expertise, opinions, and viewpoints on homeless issues. Where a potential Council member represents a coalition, consortium, association, neighborhood group, or voluntary organization, the nominee must represent to the Council the group's mission, in addition to the various viewpoints personally held by the nominee.

Section 6. WHEN A SEATED MEMBER NO LONGER MEETS THE ELIGIBILITY CRITERIA

If a seated Council member no longer meets the eligibility criteria, the Council:

- A. May request the Council member to submit a statement of resignation to the Council within 30 days of the change.
- B. May recommend to the Board of Supervisors the removal of the member and the subsequent appointment of an eligible nominee selected by the Council.
- C. May, where there is no apparent candidate to fill the seat, continue the seated member's participation, with or without limitation, until an eligible candidate is found.
- D. A designated Council member, or staff, if any, may, where a resignation is not forthcoming, contact the seated Council member who no longer meets the eligibility criteria.

Section 7. MEETINGS AND ATTENDANCE

The Council will set an annual meeting schedule. The Council will meet monthly and the full membership of the Continuum of Care will convene quarterly with published agendas.

Two absences, excused or unexcused, from the regularly scheduled Council meeting in a rolling 12-month period will warrant inquiry from the Council as to ability and interest of the individual in continuing as a member. Three absences, excused or unexcused, within a rolling 12-month period from time of appointment will result in a recommendation to the Board of Supervisors that this member be removed from the Council.

Any Council member unable to attend a meeting should notify the Chair of the Council or its administrative designee.

The Chair of the Council or its administrative designee will maintain attendance records, and notify the Council when two absences are recorded.

Section 8. VOTING MEMBERS

A quorum of 50% plus one of the seated Council members is required for the conduct of business. Decisions must be made by an affirmative vote of 50% plus one Council member present during a Council meeting.

Section 9. AMENDMENT AND REVIEW

The Council will review the Governance Charter and By-laws at least annually and update and approve as needed. Amendment requires a majority vote of the Council at a regularly scheduled Council meeting, provided that notice of the scheduled vote on the amendment was provided at least two weeks prior to that Council meeting.

Amendment of the Council on Homelessness Governance Charter and By-laws requires an affirmative vote of two-thirds majority of current sitting Council members. Amendments to the By-Laws must be submitted to the Contra Costa County Board of Supervisors for approval. An amendment of the By-Laws takes effect only upon approval by the Board of Supervisors.

Section 10. COMMITTEE STRUCTURE AND OPERATIONS

- A. There is only one Council on Homelessness standing committee: the Consumer Advisory Board Committee. This committee is charged with providing information to the Council on the effectiveness of the various services, assisting with identification of gaps in services, providing feedback to the Council from other consumers, and bringing forward for discussion and possible presentation to the Council, ideas and strategies for preventing and ending homelessness from a consumer's viewpoint.
- B. The Council may create ad hoc committees as the need arises. The purpose of these ad hoc committees will be to develop recommended solutions to the specific issue for which they were created. The ad hoc committees may be comprised of members of the CoC and outside individuals. Ad hoc committees may be dissolved upon a vote of the Council.
- C. The Council may create an ad hoc nominating committee to make recommendations on the filling of vacancies. The ad hoc nominating committee will solicit and assess applicants, rank them in order of preferred appointment, and submit these recommendations to the Council for approval. The Council will submit final recommendations to the Board of Supervisors.
- D. Ad hoc committees can be appointed to address any matters within the jurisdiction of the Council.

Article V. Conduct & Conflict of Interest

Section 1. CONDUCT

Each Council member will uphold certain standards of performance and good conduct and avoid real or apparent conflicts of interest. In order to prevent a conflict of interest, a Council member, chairperson, employee, agent, or consultant of the Council may not:

- A. Influence decisions concerning the selection or award of a grant or other financial benefit to an organization that the Council member, employee, officer, or agent has a financial or other interest in or represents, except for the Council itself.
- B. Solicit and/or accept gifts or gratuities by anyone for their personal benefit in excess of minimal value.
- C. Engage in any behavior demonstrating an actual conflict of interest or giving the appearance of any such conflict.

Section 2. CONFLICT OF INTEREST

- E. All Council members must file an initial and annual conflict of interest statement with the filing officer designated in the code. Failure to file such a statement may result in the removal of a member.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services
Date: January 19, 2016

Subject: Approval of Head Start Policy Council Bylaws

RECOMMENDATION(S):

ACCEPT and APPROVE Head Start Policy Council Bylaws for the Community Services Bureau as recommended by the Employment & Human Services Department.

FISCAL IMPACT:

None.

BACKGROUND:

This board order accepts the Head Start Policy Council Bylaws for the Community Services Bureau of the Employment & Human Services Department. Head Start Performance Standards 1304.50(d)(1)(ii) require annual Board approval of the Bylaws. The Bylaws were reviewed for approval by the Head Start Policy Council on September 26, 2015.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

ATTESTED: January 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: CSB (925) 681-6308

cc:

BACKGROUND: (CONT'D)

>

Summary of changes to Head Start Policy Council Bylaws:

Current Bylaw	Bylaw Modification	Rationale
<u>III. Executive Committee</u> The Executive officers will be elected annually at the Policy Council Orientation / general meeting in October.	<u>III. Executive Committee</u> The Executive officers will be elected annually at the Policy Council Orientation / general meeting in September.	The early month is to facilitate timely transition from one program year to the next.
<u>III. Executive Committee</u> No more than two absences total from both Policy Council and Executive Committee meeting for the full term will be allowed.	<u>III. Executive Committee</u> No more than two absences total from both Policy Council and Executive Committee meeting for the full term will be allowed. Arriving 15 or more minutes late to an Executive Committee meeting will be considered an unexcused absence.	Updating attendance policy to include timeliness. Late arrivals are disruptive to committee business.
<u>III. Executive Committee</u> B. Vice Chairperson The Vice Chairperson shall assist the Chairperson and assume all the obligations and authority if the Chairperson is absent.	<u>III. Executive Committee</u> B. Vice Chairperson The Vice Chairperson shall assist the Chairperson and assume all the obligations and authority if the Chairperson is absent. The Vice Chair will be responsible for reviewing the desired outcomes during the Policy Council meetings.	Clarification on the responsibilities of the vice chair during the Policy Council meetings.
<u>III. Executive Committee</u> E. Election of Officers The officers shall be elected annually at the October general meeting. Nominations for the officers shall be made by the general membership. Current Head Start and Early Head Start parents and past parents may be nominated as candidates. All votes are cast by closed ballot. No more than two past parents may serve on the Executive Committee at any given time.	<u>III. Executive Committee</u> E. Election of Officers The officers shall be elected annually at the September general meeting. Nominations for the officers shall be made by the general membership. Current Head Start and Early Head Start parents and past parents may be nominated as candidates. All votes are cast by closed ballot. No more than four past parents may serve on the Executive Committee at any given time.	The change in month from October to September is to facilitate timely transition. The increase in number of past parents is to expand opportunities for past parents to participate and to increase the knowledge base for the committee.
<u>IV. Policy Council Membership</u> The Policy Council is comprised of parents of currently enrolled children and community agency representatives. At least 51 percent of the members must be the parents of currently enrolled Head Start or Early Head Start children [see 45 CFR 1306.3(h) for the definition of Head Start parent]. No Community Services Bureau staff members or their immediate family (spouse, co-parent) may serve on the Policy Council.	<u>IV. Policy Council Membership</u> The Policy Council is comprised of parents of currently enrolled children and community agency representatives. At least 51 percent of the members must be the parents of currently enrolled Head Start or Early Head Start children [see 45 CFR 1306.3(h) for the definition of Head Start parent]. No Grantee, delegate agency or child care partner agency staff members or their immediate family (spouse, co-parent) may serve on the Policy Council.	Clarification of the policy regarding staff and/or family members serving on the committee. Not only Grantee (Community Services Bureau) but also delegate agency and partner staff and their immediate family may not serve on the committee.
<u>IV. Policy Council Membership</u> B. Term of Membership Term of membership is for one year, October – August. Members are elected each year for a maximum of three years. This limit applies to primary and alternate representatives who are listed on the Policy Council roster as a center representative at any time during the term. Currently enrolled parent policy council members are expected to serve the full term, even if their program option closes for the summer.	<u>IV. Policy Council Membership</u> B. Term of Membership Term of membership is for one year, September – August. Members are elected each year for a maximum of three years. This limit applies to primary and alternate representatives who are listed on the Policy Council roster as a center representative at any time during the term. Currently enrolled parent policy council members are expected to serve the full term, even if their program option closes for the summer.	The change aligns the term of membership with the month in which elections take place.
<u>Appendices</u> Appendix 1. Head Start Performance Standards - Governance Appendix 2. Head Start Performance Standards	Appendices removed	County Counsel advised that this material should be placed in a separate operations document, not part of the Bylaws.

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

2015-16 HS PC Bylaws REDLINE

2015-16 HS PC Bylaws CLEAN

CONTRA COSTA COUNTY EHSD COMMUNITY SERVICES BUREAU
HEAD START/EARLY HEAD START BYLAWS

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CONTRA COSTA COUNTY EHSD COMMUNITY SERVICES BUREAU HEAD START/EARLY HEAD START BYLAWS

I. Name

The name of this council is the Contra Costa County Head Start and Early Head Start Policy Council, hereinafter referred to as the Policy Council.

II. Purpose

The purpose of the Policy Council is to serve as a governing body using a shared decision making process with the County Board of Supervisors in all matters relating to the planning and coordination of the Head Start and Early Head Start programs operated by the Community Services Bureau. The Policy Council serves as the link among public and private organizations, the Grantee and Delegate Agencies, the communities served, and the parents of enrolled children.

The Policy Council will comply with the existing Head Start Performance Standards requirements and the 2007 Head Start legislation. Any changes in the Head Start Performance Standards that will affect Policy Council bylaws will be brought to the Policy Council for explanation and approval.

III. Executive Committee

The Executive officers will be elected annually at the Policy Council Orientation/general meeting in September. The role of the Executive officers is to plan general meetings, review previous month minutes, set the agenda, and help staff in the overall planning. Executive officers shall attend all Policy Council and Executive Committee meetings. No more than two absences total from both Policy Council and Executive Committee meeting for the full term will be allowed. Arriving 15 or minutes late to an Executive Committee meeting will be considered an unexcused absence.

A. Chairperson

The Chairperson shall preside at all Policy Council meetings. He or she has the authority to call special meetings, maintain order, and appoint chairperson ad-hoc committees. The Chairperson shall enforce the observance of order and decorum among the members, recognize members, staff and visitors who wish to speak and make official written communication.

B. Vice-Chairperson

The Vice-Chairperson shall assist the Chairperson and assume all the obligations and authority if the Chairperson is absent. The Vice Chair will be responsible for reviewing the desired outcomes during the Policy Council meetings.

C. Secretary

The Secretary shall declare whether a quorum exists at the beginning of each meeting. The Secretary shall monitor attendance. He or she shall read any correspondence at Policy Council meetings. He or she shall check for any corrections or clarification on previous month's minutes, and seek approval of minutes. The Secretary shall also help prepare minutes of the meeting and ensure that the meeting is recorded.

D. Parliamentarian

The Parliamentarian assists the Chairperson in maintaining order during meetings. He or she states and reviews the principles of conduct and expected behaviors during meetings. He or she acts a timekeeper

CONTRA COSTA COUNTY EHSD COMMUNITY SERVICES BUREAU HEAD START/EARLY HEAD START BYLAWS

of the agenda items and notifies the Chairperson when time is an issue. He or she is the Chairperson of the Bylaws subcommittee.

E. Election of Officers

The officers shall be elected annually at the September general meeting. Nominations for the officers shall be made by the general membership. Current Head Start and Early Head Start parents and past parents may be nominated as candidates. All votes are cast by closed ballot. No more than four past parents may serve on the Executive Committee at any given time.

F. Removal from Office

Executive officers may be removed from office by a two-thirds (2/3) vote at any regular meeting for reasons of misconduct or excessive absenteeism.

G. Officer Vacancies

The chairperson of the Policy Council fills the vacancy by appointment and the Policy Council ratifies or elects a new nominee to fill the vacancy. If the Chairperson's position is vacated, the Vice-Chair assumes all the obligations and authority of the Chair.

IV. Policy Council Membership

The Policy Council is comprised of parents of currently enrolled children and community agency representatives. At least 51 percent of the members must be the parents of currently enrolled Head Start or Early Head Start children (see 45 CFR 1306.3(h) for the definition of Head Start parent). No grantee, delegate or child care partner agency staff members or their immediate family (spouse, co-parent) may serve on the Policy Council.

A. Composition

Policy Council composition is reviewed annually to ensure that it meets the general membership guidelines of Head Start Performance Standards and that the compositions of representatives are proportionately selected according to program option (Head Start, Early Head Start, Full Day, Part Day, and Home Base).

1. Currently Enrolled Parents

Currently enrolled parent representatives are elected by center parent committees and must have one or more children currently enrolled in the Head Start or Early Head Start programs.

2. Past Parent Representatives

Former Head Start and Early Head Start parents may request to participate on the Policy Council, provided they have not exceeded the term limit. See the Policy Council handbook for application procedure.

3. Community Agency Representatives

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The Policy Council determines which community agencies it would like to invite to participate. Agencies are drawn from the local community and are familiar with resources and services for low-income children and families.

B. Term of Membership

Term of membership is for one year, September-August. Members are elected each year for a maximum of three years. This limit applies to primary and alternate representatives who are listed on the Policy Council roster as a center representative at any time during the term. Currently Enrolled Parent Policy Council Members are expected to serve the full term, even if their program option closes for the summer.

C. Alternates

When an elected Policy Council member is unable to attend a meeting, he or she must secure an alternate to attend the meeting on his or her behalf. The alternate will participate fully including voting on action items. Each center shall maintain a list of alternates.

D. Absences

Policy Council members are required to attend all meetings. If a member will be absent, he or she shall secure an alternate. The member shall give twenty-four hour notice to the alternate and program staff.

If a currently enrolled parent has two unexcused absences (failed to notify CSB staff or an Executive Officer of the absence) the center will be notified and the parent committee may choose to terminate the parent's membership. The center must notify the Secretary of any changes in representation and in cases of excessive absenteeism, provide a response about the course of action the parent committee would like to take.

If a past parent or community representative has two unexcused absences the Policy Council may choose to terminate his or her membership.

E. Resignation

If a member resigns from the Policy Council or is no longer eligible to serve due to enrollment status, the member must submit his or her resignation in writing to staff. If the member is an Executive Officer or Chair of a committee, the vacancy shall be filled as outlined in section III.G of the Policy Council Bylaws.

F. Termination

A Policy Council membership may be terminated by a two-thirds (2/3) vote at any regular meeting for reasons of misconduct or excessive absenteeism. If the termination is in regards to excessive absenteeism, this vote will take place only after a notice has been sent to the center and the center has provided a response as to the course of action. The member will be notified in writing of his or her termination from the Policy Council.

G. Vacancy

A vacancy at a center will be filled by an alternate until a new representative can be elected by the center parent committee. If a vacancy occurs by a community agency representative, the agency must appoint a replacement as soon as possible. Filling past parent member vacancies are outlined in Section IV.A of the Policy Council Bylaws.

CONTRA COSTA COUNTY EHSD COMMUNITY SERVICES BUREAU HEAD START/EARLY HEAD START BYLAWS

V. Subcommittees

The Policy Council has four standing subcommittees: Fiscal Committee, Self-Assessment Committee, Personnel/Interview Panel Committee, and Ongoing Monitoring/Program Services Committee. The Policy Council has two Ad-Hoc subcommittees: By-laws Committee, and Policies and Procedures Committee. Executive Officers must sit on at least one subcommittee.

Each subcommittee must maintain at least four members at all times. The Policy Council Chair appoints subcommittee leads and the Policy Council must ratify all appointments. Subcommittees must keep minutes, and reports must be presented to the Policy Council.

VI. Conferences

Policy Council representatives may be selected to attend conferences. Upon return from a conference, attendees must present a conference report to the Executive Officers and the Policy Council. Attendees will be given a per diem allotment for meals, ground transportation and child care expenses. All receipts must be submitted to staff no more than seven (7) days after return from travel. Conference attendance guidelines are outlined in the Policy Council Handbook.

VII. Standards of Conduct

All Policy Council members must sign and adhere to the Contra Costa County Code of Conduct, Community Service's Bureau Standards of Conduct, and abide by policies and procedures for reporting to Child Protective Services and State Community Care Licensing.

Any Policy Council Member in violation of any standards of conduct may be temporarily dismissed from his or her duties while the misconduct is under investigation. Staff and the Policy Council Executive Committee will hold a closed-session meeting and review the nature of the misconduct and make recommendations to the Policy Council to resume or remove membership.

VIII. Meetings

Meeting notices shall comply with the Brown Act, the County's Better Government Ordinance, and all applicable local and state meetings laws.

A. Regular Meetings

The Policy Council will hold a minimum of nine (9) meetings per year. Notice of meetings is provided 96 hours in advance of meetings and will be scheduled to encourage parent participation. All meetings of the Policy Council and its committees will be held in accordance with the Brown Act and the Contra Costa County Better Government Ordinance.

B. Special Meetings

A special meeting may be called at any time by the Chairperson. A twenty-four hour notice must be given to Policy Council members unless written notice has been waived.

C. Emergency Meetings

The Executive Officers may conduct business in emergency matters or if a majority of the Policy Council members cannot meet. A quorum (51% of the Executive Committee) is required to make a decision on

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behalf of the Policy Council. All decisions made during an Emergency Meeting must be ratified at the next regularly scheduled Policy Council meeting.

D. Quorum

A quorum is 25% of the full Policy Council membership. At least 51% of the total number of authorized Policy Council members of which a majority in attendance must be Currently Enrolled Parents.

E. Voting

Only a Policy Council member or his or her alternate is permitted to vote on any Policy Council action. The Chairperson votes only in the case of a tie.

F. Agenda

The agenda shall comply with the Ralph M. Brown Act and the County Better Government Ordinance and all applicable laws.

IX. Reimbursement

Policy Council members will be reimbursed for child care and mileage for approved Policy Council activities according to the standard approved rates. Current standard rates and procedures for requesting reimbursement are outlined in the Policy Council Handbook.

X. Amendments

Proposed amendments of these bylaws may be initiated by action of the Policy Council. Proposed amendments must be presented to members at least one general meeting prior to action.

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CONTRA COSTA COUNTY EHSD COMMUNITY SERVICES BUREAU HEAD START/EARLY HEAD START BYLAWS

I. Name

The name of this council is the Contra Costa County Head Start and Early Head Start Policy Council, hereinafter referred to as the Policy Council.

II. Purpose

The purpose of the Policy Council is to serve as a governing body using a shared decision making process with the County Board of Supervisors in all matters relating to the planning and coordination of the Head Start and Early Head Start programs operated by the Community Services Bureau. The Policy Council serves as the link among public and private organizations, the Grantee and Delegate Agencies, the communities served, and the parents of enrolled children.

The Policy Council will comply with the existing Head Start Performance Standards requirements and the 2007 Head Start legislation. Any changes in the Head Start Performance Standards that will affect Policy Council bylaws will be brought to the Policy Council for explanation and approval.

III. Executive Committee

The Executive officers will be elected annually at the Policy Council Orientation/general meeting in September. The role of the Executive officers is to plan general meetings, review previous month minutes, set the agenda, and help staff in the overall planning. Executive officers shall attend all Policy Council and Executive Committee meetings. No more than two absences total from both Policy Council and Executive Committee meeting for the full term will be allowed. Arriving 15 or minutes late to an Executive Committee meeting will be considered an unexcused absence.

A. Chairperson

The Chairperson shall preside at all Policy Council meetings. He or she has the authority to call special meetings, maintain order, and appoint chairperson ad-hoc committees. The Chairperson shall enforce the observance of order and decorum among the members, recognize members, staff and visitors who wish to speak and make official written communication.

B. Vice-Chairperson

The Vice-Chairperson shall assist the Chairperson and assume all the obligations and authority if the Chairperson is absent. The Vice Chair will be responsible for reviewing the desired outcomes during the Policy Council meetings.

C. Secretary

The Secretary shall declare whether a quorum exists at the beginning of each meeting. The Secretary shall monitor attendance. He or she shall read any correspondence at Policy Council meetings. He or she shall check for any corrections or clarification on previous month's minutes, and seek approval of minutes. The Secretary shall also help prepare minutes of the meeting and ensure that the meeting is recorded.

D. Parliamentarian

The Parliamentarian assists the Chairperson in maintaining order during meetings. He or she states and reviews the principles of conduct and expected behaviors during meetings. He or she acts a timekeeper

CONTRA COSTA COUNTY EHSD COMMUNITY SERVICES BUREAU HEAD START/EARLY HEAD START BYLAWS

of the agenda items and notifies the Chairperson when time is an issue. He or she is the Chairperson of the Bylaws subcommittee.

E. Election of Officers

The officers shall be elected annually at the September general meeting. Nominations for the officers shall be made by the general membership. Current Head Start and Early Head Start parents and past parents may be nominated as candidates. All votes are cast by closed ballot. No more than four past parents may serve on the Executive Committee at any given time.

F. Removal from Office

Executive officers may be removed from office by a two-thirds (2/3) vote at any regular meeting for reasons of misconduct or excessive absenteeism.

G. Officer Vacancies

The chairperson of the Policy Council fills the vacancy by appointment and the Policy Council ratifies or elects a new nominee to fill the vacancy. If the Chairperson's position is vacated, the Vice-Chair assumes all the obligations and authority of the Chair.

IV. Policy Council Membership

The Policy Council is comprised of parents of currently enrolled children and community agency representatives. At least 51 percent of the members must be the parents of currently enrolled Head Start or Early Head Start children (see 45 CFR 1306.3(h) for the definition of Head Start parent). No grantee, delegate or child care partner agency staff members or their immediate family (spouse, co-parent) may serve on the Policy Council.

A. Composition

Policy Council composition is reviewed annually to ensure that it meets the general membership guidelines of Head Start Performance Standards and that the compositions of representatives are proportionately selected according to program option (Head Start, Early Head Start, Full Day, Part Day, and Home Base).

1. Currently Enrolled Parents

Currently enrolled parent representatives are elected by center parent committees and must have one or more children currently enrolled in the Head Start or Early Head Start programs.

2. Past Parent Representatives

Former Head Start and Early Head Start parents may request to participate on the Policy Council, provided they have not exceeded the term limit. See the Policy Council handbook for application procedure.

3. Community Agency Representatives

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The Policy Council determines which community agencies it would like to invite to participate. Agencies are drawn from the local community and are familiar with resources and services for low-income children and families.

B. Term of Membership

Term of membership is for one year, September-August. Members are elected each year for a maximum of three years. This limit applies to primary and alternate representatives who are listed on the Policy Council roster as a center representative at any time during the term. Currently Enrolled Parent Policy Council Members are expected to serve the full term, even if their program option closes for the summer.

C. Alternates

When an elected Policy Council member is unable to attend a meeting, he or she must secure an alternate to attend the meeting on his or her behalf. The alternate will participate fully including voting on action items. Each center shall maintain a list of alternates.

D. Absences

Policy Council members are required to attend all meetings. If a member will be absent, he or she shall secure an alternate. The member shall give twenty-four hour notice to the alternate and program staff.

If a currently enrolled parent has two unexcused absences (failed to notify CSB staff or an Executive Officer of the absence) the center will be notified and the parent committee may choose to terminate the parent's membership. The center must notify the Secretary of any changes in representation and in cases of excessive absenteeism, provide a response about the course of action the parent committee would like to take.

If a past parent or community representative has two unexcused absences the Policy Council may choose to terminate his or her membership.

E. Resignation

If a member resigns from the Policy Council or is no longer eligible to serve due to enrollment status, the member must submit his or her resignation in writing to staff. If the member is an Executive Officer or Chair of a committee, the vacancy shall be filled as outlined in section III.G of the Policy Council Bylaws.

F. Termination

A Policy Council membership may be terminated by a two-thirds (2/3) vote at any regular meeting for reasons of misconduct or excessive absenteeism. If the termination is in regards to excessive absenteeism, this vote will take place only after a notice has been sent to the center and the center has provided a response as to the course of action. The member will be notified in writing of his or her termination from the Policy Council.

G. Vacancy

A vacancy at a center will be filled by an alternate until a new representative can be elected by the center parent committee. If a vacancy occurs by a community agency representative, the agency must appoint a replacement as soon as possible. Filling past parent member vacancies are outlined in Section IV.A of the Policy Council Bylaws.

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V. Subcommittees

The Policy Council has four standing subcommittees: Fiscal Committee, Self-Assessment Committee, Personnel/Interview Panel Committee, and Ongoing Monitoring/Program Services Committee. The Policy Council has two Ad-Hoc subcommittees: By-laws Committee, and Policies and Procedures Committee. Executive Officers must sit on at least one subcommittee.

Each subcommittee must maintain at least four members at all times. The Policy Council Chair appoints subcommittee leads and the Policy Council must ratify all appointments. Subcommittees must keep minutes, and reports must be presented to the Policy Council.

VI. Conferences

Policy Council representatives may be selected to attend conferences. Upon return from a conference, attendees must present a conference report to the Executive Officers and the Policy Council. Attendees will be given a per diem allotment for meals, ground transportation and child care expenses. All receipts must be submitted to staff no more than seven (7) days after return from travel. Conference attendance guidelines are outlined in the Policy Council Handbook.

VII. Standards of Conduct

All Policy Council members must sign and adhere to the Contra Costa County Code of Conduct, Community Service's Bureau Standards of Conduct, and abide by policies and procedures for reporting to Child Protective Services and State Community Care Licensing.

Any Policy Council Member in violation of any standards of conduct may be temporarily dismissed from his or her duties while the misconduct is under investigation. Staff and the Policy Council Executive Committee will hold a closed-session meeting and review the nature of the misconduct and make recommendations to the Policy Council to resume or remove membership.

VIII. Meetings

Meeting notices shall comply with the Brown Act, the County's Better Government Ordinance, and all applicable local and state meetings laws.

A. Regular Meetings

The Policy Council will hold a minimum of nine (9) meetings per year. Notice of meetings is provided 96 hours in advance of meetings and will be scheduled to encourage parent participation. All meetings of the Policy Council and its committees will be held in accordance with the Brown Act and the Contra Costa County Better Government Ordinance.

B. Special Meetings

A special meeting may be called at any time by the Chairperson. A twenty-four hour notice must be given to Policy Council members unless written notice has been waived.

C. Emergency Meetings

The Executive Officers may conduct business in emergency matters or if a majority of the Policy Council members cannot meet. A quorum (51% of the Executive Committee) is required to make a decision on

CONTRA COSTA COUNTY EHSD COMMUNITY SERVICES BUREAU HEAD START/EARLY HEAD START BYLAWS

behalf of the Policy Council. All decisions made during an Emergency Meeting must be ratified at the next regularly scheduled Policy Council meeting.

D. Quorum

A quorum is 25% of the full Policy Council membership. At least 51% of the total number of authorized Policy Council members of which a majority in attendance must be Currently Enrolled Parents.

E. Voting

Only a Policy Council member or his or her alternate is permitted to vote on any Policy Council action. The Chairperson votes only in the case of a tie.

F. Agenda

The agenda shall comply with the Ralph M. Brown Act and the County Better Government Ordinance and all applicable laws.

IX. Reimbursement

Policy Council members will be reimbursed for child care and mileage for approved Policy Council activities according to the standard approved rates. Current standard rates and procedures for requesting reimbursement are outlined in the Policy Council Handbook.

X. Amendments

Proposed amendments of these bylaws may be initiated by action of the Policy Council. Proposed amendments must be presented to members at least one general meeting prior to action.



**Contra
Costa
County**

To: Successor to the Contra Costa County Redevelopment Agency
From: John Kopchik, Director, Conservation & Development Department
Date: January 19, 2016

Subject: Recognized Obligation Payment Schedule for July 1, 2016 - June 30, 2017

RECOMMENDATION(S):

1. ADOPT Resolution No. 2016/32 approving an administrative budget for the Successor Agency for the period July 1, 2016 through June 30, 2017 ("Administrative Budget") and the Recognized Obligation Payment Schedule for the period of July 1, 2016 through June 30, 2017 ("ROPS 16-17"), both of which are attached as Exhibit A and Exhibit B, respectively.
2. FIND that the Administrative Budget and ROPS 16-17 are exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines; and
3. DIRECT the Director of Conservation and Development to file a Notice of Exemption with the County Clerk and pay the filing fee.

FISCAL IMPACT:

None to the General Fund. Since dissolution of the Contra Costa County Redevelopment Agency (the "Dissolved RDA"), tax increment is now deposited in the Redevelopment Property Tax Trust Fund ("RPTTF"), which is administered by the County Auditor-Controller. Distributions are made semi-annually from the RPTTF by the County Auditor-Controller to the Successor Agency to fund the Successor Agency's administrative budget and Recognized Obligation Payment Schedule.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/19/2016** ☒ 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: January 19, 2016

Contact: Maureen Toms (925)
674-7878

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

By: , Deputy

cc:

FISCAL IMPACT: (CONT'D)

These funds are distinct and separate from other funds used by the Department of Conservation and Development. According to state law, any obligation of the Successor Agency that cannot be funded by the RPTTF would not be an obligation of the County.

BACKGROUND:

Administrative Budget

According to Health & Safety Code Section 34177 of Assembly Bill x126 (the "Dissolution Act"), the Successor Agency staff prepares a draft administrative budget and submits it to the Oversight Board for approval. Prior to the Oversight Board's approval of the administrative budget, the Board of Supervisors, acting in the capacity as the governing board of the Successor Agency for the Contra Costa County Redevelopment Agency, should review and approve the proposed administrative budget.

The state statute specifies a minimum administrative cost allowance to the Successor Agency for its administrative costs, using a percentage of property tax revenue allocated by the County Auditor-Controller to the Successor Agency to meet enforceable obligations. The County Auditor-Controller calculates the allowance using three percent of the distribution to be received by the Successor Agency from the Redevelopment Property Tax Trust Funds (RPTTF) or \$250,000 for the fiscal year, whichever amount is greater.

The estimate for the Fiscal Year 2016-17 administrative budget is \$252,544, three percent of the Successor Agency's RPTTF distribution, therefore \$126,272 for administrative costs is expected to be distributed in July 2016 and January 2017. Some Successor Agency staff costs are project-related and charged to non-administrative enforceable obligations (e.g. management of construction projects) shown on the Recognized Obligation Payment Schedules (ROPSs). These non-administrative and project management costs are now estimated to contribute \$70,000 in revenue for the administrative budget in ROPS 16-17 period. The administrative budget is attached as Exhibit A.

Recognized Obligation Payment Schedule 16-17

Beginning in Fiscal Year 2013-14, the Department of Finance ("DOF") implemented a new naming convention for ROPS prepared for each six-month spending period. The ROPS for the January 1, 2016 to June 30, 2016 time period is the ninth ROPS prepared by the Successor Agency and is named "ROPS 15-16B" according to the DOF naming convention. This naming convention helps the DOF determine which six-month period of the fiscal year is covered by the ROPS. ROPS 15-16A covered the first half of Fiscal Year 15-16 and ROPS 15-16B covers the second half. Beginning with the fiscal year 16-17 period, the ROPS will be prepared annually, due February 1, prior to the beginning of the fiscal year. The distributions will continue to be made semi-annually.

Resolution No. 2016/32 adopts ROPS 16-17, which is included as Exhibit B to this report. After adoption by the Successor Agency, ROPS 16-17 will be submitted to the Oversight Board for approval. The Oversight Board is scheduled to meet on January 27, 2016. As required under Health and Safety Code Section 34179.6, ROPS 16-17 will be submitted to the State Controller's Office, DOF and the County Auditor-Controller, and will be posted on the Successor Agency's website. The DOF must receive ROPS 16-17 no later than February 1, 2016.

Assembly Bill 1484, the Dissolution Act "clean-up" legislation, became law on June 27, 2012. It provides a 45-day review period for the DOF once the Oversight Board has approved the ROPS. Within five days of the DOF decision on a ROPS, a Successor Agency may request a meet and confer with the DOF to discuss any disputed items.

Environmental Review

The actions set forth in Resolution No. 2016/32 as summarized above, are exempt under Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (the "CEQA") in that it can be seen with a certainty that the actions will not have a significant adverse impact on the environment. The actions are required to continue a governmental funding mechanism for financial obligations of the former Redevelopment Agency and to perform the statutorily mandated unwinding of the assets, liabilities, and functions of the Dissolved RDA pursuant to the Dissolution Act. A Notice of Exemption will be filed with the County Clerk in accordance with the CEQA guidelines.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to adopt the resolution would require the Board to consider other options for providing and funding staff support for the Successor Agency. Without approving the Recognized Obligation Payment Schedule for the period July 1, 2016 through June 30, 2017, the County Auditor-Controller would not be able to allocate funds to the Successor Agency for staffing services and payment of recognized obligations during this twelve-month period, and the Successor Agency would risk defaulting on enforceable obligations.

ATTACHMENTS

Resolution No. 2016/32

Exhibit A - Administrative Budget

Exhibit B-ROPS 16-17

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

Adopted this Resolution on 01/19/2016 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2016/32

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA ACTING AS THE GOVERNING BOARD OF THE SUCCESSOR AGENCY FOR THE CONTRA COSTA COUNTY REDEVELOPMENT, A SEPARATE LEGAL ENTITY, APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JULY 1, 2016 THROUGH JUNE 30, 2017 ("ROPS 16-17") AND THE ADMINISTRATIVE BUDGET FOR FISCAL YEAR 16-17, AND DIRECTING THE COUNTY ADMINISTRATOR TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE REQUIREMENTS ASSOCIATED WITH THIS APPROVAL

WHEREAS, pursuant to ABx1 26 as amended by AB 1484 (the "Dissolution Act"), the separate legal entity known as the Successor Agency of the Contra Costa County Redevelopment Agency (the "Successor Agency") must prepare "Recognized Obligation Payment Schedules" ("ROPS") that enumerates the enforceable obligations and expenses of the Successor Agency for each successive fiscal period until the wind down and disposition of assets of the dissolved Contra Costa County Redevelopment Agency (the "Dissolved RDA") has been completed; and

WHEREAS, the Successor Agency staff has prepared a ROPS for the 12-month fiscal period commencing on July 1, 2016 and continuing through June 30, 2017 ("ROPS 16-17"); and

WHEREAS, the Successor Agency staff has prepared an administrative budget for the fiscal period commencing on July 1, 2016 and continuing through June 30, 2017 ("FY 16-17 Administrative Budget"); and

WHEREAS, the Successor Agency is entitled to an administrative cost allowance (the "Administrative Cost Allowance") pursuant to Health and Safety Code Sections 34171(b) and 34183(a)(3) in the approximate amount of \$252,544 for the 2016-17 fiscal year of which \$126,272 is expected to be dispursed in July 2016 and \$126,272 will be disbursed in January 2017; and

WHEREAS, under the Dissolution Act, ROPS 16-17 and the FY 16-17 Administrative Budget must be approved by the Successor Agency's oversight board (the "Oversight Board") to enable the Successor Agency to continue to make payments on enforceable obligations and to pay for administrative costs of the Successor Agency; and

WHEREAS, the Board of Supervisors, acting as the Governing Board of the Successor Agency, has considered and desires to approve the following documents, copies of which are on file with the Clerk of the Board of Supervisors (acting on behalf of the Successor Agency):

1. The ROPS 16-17; and
2. The FY 16-17 Administrative Budget; and

WHEREAS, the ROPS 16-17 and the FY 16-17 Administrative Budget will be submitted by the Successor Agency to the Oversight Board for the Oversight Board's approval in accordance with Health and Safety Code Sections 34177 and 34180(g); and WHEREAS, the ROPS 16-17 and the FY 16-17 Administrative Budget will also be submitted by the Successor Agency to the Contra Costa County Administrative Officer, the Contra Costa County Auditor-Controller, and the State Department of Finance in accordance with Health and Safety Code Section 34179.6; and WHEREAS, approval of the ROPS 16-17 and the FY 16-17 Administrative Budget is exempt from the requirements of the California Environmental Quality Act and the applicable state and local implementing guidelines ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and WHEREAS, the accompanying staff report provides supporting information upon which the actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors, acting as the Governing Board of the Successor Agency and in accordance with the Dissolution Act, hereby finds, resolves, and determines that the foregoing recitals are true and correct, and, together with information provided by the Successor Agency staff and the public, form the basis for the approvals,

findings, resolutions, and determinations set forth below; and

BE IT FURTHER RESOLVED that the Board of Supervisors finds and determines that its approval of the ROPS 16-17 and the FY 16-17 Administrative Budget is exempt from the requirements of CEQA, and the Successor Agency Executive Director, or the Executive Director's designee, is authorized to file the appropriate notice of exemption with respect to the approval of the ROPS 16-17 and the FY 16-17 Administrative Budget in accordance with CEQA; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby approves the ROPS 16-17 and the FY 16-17 Administrative Budget, in the respective forms on file with the Clerk of the Board of Supervisors (acting on behalf of the Successor Agency); and

BE IT FURTHER RESOLVED that the Successor Agency is authorized and directed to enter into any agreements and amendments to agreements consistent with the Dissolution Act and necessary to memorialize and implement the agreements and obligations in ROPS 16-17 and the FY 16-17 Administrative Budget as herein approved by the Successor Agency; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby authorizes and directs the Successor Agency staff, acting on behalf of the Successor Agency, to file, post, mail or otherwise deliver via electronic mail, internet posting, and/or hardcopy, all notices and transmittals necessary or convenient in connection with the approval of the ROPS 16-17 and the FY 16-17 Administrative Budget, and to take any other actions necessary to ensure the validity of the ROPS 15-16B and the validity of any enforceable obligation listed thereon and the validity of the FY 15-16B Administrative Budget and corresponding Administrative Cost Allowance. In addition, the Board of Supervisors authorizes and directs the Successor Agency staff to make such non-substantive revisions to ROPS 16-17 as may be necessary to submit ROPS 16-17 in any modified form required by the DOF, and ROPS 16-17 as so modified shall thereupon constitute ROPS 16-17 as approved by the Board of Supervisors pursuant to this Resolution; and

BE IT FURTHER RESOLVED that nothing in this Resolution shall abrogate, waive, impair or in any other manner affect the right or ability of the County, as a political subdivision of the State of California, or the Successor Agency, as a separate legal entity, to initiate and prosecute any litigation with respect to any agreement or other arrangement of the Dissolved RDA, including, without limitation, any litigation contesting the purported invalidity of such agreement or arrangement pursuant to the Dissolution Act; and

BE IT FURTHER RESOLVED that this Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

I hereby certify that this 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: Maureen Toms (925) 674-7878

ATTESTED: January 19, 2016

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

By: , Deputy

cc:

EXHIBIT A- Administrative Budget

1/8/2016

	<u>line</u>	15-16A	15-16B	Total
Administrative Expenses				
Space Rent		\$16,200	\$16,200	\$32,400
Salary/Overhead		\$56,817	\$56,817	\$113,634
Various Admin Expenses		\$88,847	\$88,847	\$177,694
TOTAL ADMIN EXPENSES		\$161,864	\$161,864	\$323,728
Revenue				
Administrative Cost Allowance	94	\$126,864	\$126,864	\$253,728
EO (Non Admin + Project Mgmt)		\$35,000	\$35,000	\$70,000
TOTAL ADMIN REVENUES		\$161,864	\$161,864	\$323,728
SURPLUS/(DEFICIT)		\$0	\$0	\$0
Project Management Enforceable Obligations				
Transit Village Project Management	89	\$15,000	\$15,000	\$30,000
IH Remediation Project Management	105	\$20,000	\$20,000	\$40,000
		\$35,000	\$35,000	\$70,000

Recognized Obligation Payment Schedule (ROPS 16-17) - Summary

Filed for the July 1, 2016 through June 30, 2017 Period

Successor Agency:

Contra Costa County

County:

Contra Costa

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)		16-17A Total	16-17B Total	ROPS 16-17 Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding				
A	Sources (B+C+D):	\$ 2,020,214	\$ 1,981,794	\$ 4,002,008
B	Bond Proceeds Funding	1,432,813	1,432,813	2,865,626
C	Reserve Balance Funding	587,401	548,981	1,136,382
D	Other Funding	-	-	-
E	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 3,986,373	\$ 4,684,301	\$ 8,670,674
F	Non-Administrative Costs	3,860,101	4,558,029	8,418,130
G	Administrative Costs	126,272	126,272	252,544
H	Current Period Enforceable Obligations (A+E):	\$ 6,006,587	\$ 6,666,095	\$ 12,672,682

Certification of Oversight Board Chairman:
Pursuant to Section 34177 (o) of the Health and Safety code, I hereby
certify that the above is a true and accurate Recognized Obligation
Payment Schedule for the above named successor agency.

NameTitle

/s/

SignatureDate

Contra Costa County Recognized Obligation Payment Schedule (ROPS 16-17) - ROPS Detail																						
July 1, 2016 through June 30, 2017																						
(Report Amounts in Whole Dollars)																						
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name/Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	ROPS 16-17 Total	16-17A					16-17A Total	16-17B					16-17B Total
											Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF			Trust Fund (Non-RPTTF)			RPTTF		
											Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin		Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
								\$ 206,389,280		\$ 12,672,682	\$ 1,432,813	\$ 587,401	\$ -	\$ 3,860,101	\$ 126,272	\$ 6,006,587	\$ 1,432,813	\$ 548,981	\$ -	\$ 4,558,029	\$ 126,272	\$ 6,666,095
4	(4) 1:9 Youth Homes	OPA/DDA/Construction	6/25/2008	12/29/2028	Contra Costa	Relocation	BP	42,300	N	\$ 84,600		42,300				\$ 42,300		42,300				\$ 42,300
10	(10) 2:3 Placemaking Transit Village	OPA/DDA/Construction	12/19/2005	7/10/2026	AvalonBay	Placemaking improvements (e.g. parks, etc)	C	528,143	N	\$ 1,056,286	528,143					\$ 528,143	528,143					\$ 528,143
14	(14) 2:8 Re-authorized Contract for Capital Imprv	Improvement/Infrastructure	4/18/2012	7/10/2026	Contra Costa County	CCC Infrastructure improvements	C	904,670	N	\$ 1,809,340	904,670					\$ 904,670	904,670					\$ 904,670
28	(28) 3:29 Property holding costs	Property Maintenance	7/10/1984	6/30/2016	CCC Public Works	Property maintenance	ALL	5,357	N	\$ 10,714		5,357				\$ 5,357		5,357				\$ 5,357
46	(46) 5:24 Placemaking Transit Village	OPA/DDA/Construction	12/19/2005	7/10/2026	AvalonBay	Placemaking improvements (ie parks, etc)	C	384,213	N	\$ 768,426		384,213				\$ 384,213		384,213				\$ 384,213
54	(54) 7:1 1999 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	4/20/1999	8/1/2018	US Bank NA	Bonds issue to fund non-housing projects. Put note bal as of 2/1/14	C/BP/NR/R	10,824,089	N	\$ 607,943				422,237		\$ 422,237				185,706		\$ 185,706
55	(55) 7:2 1999 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	4/20/1999	8/1/2018	US Bank NA	Bonds issue to fund housing projects. Put note bal as of 2/1/14	C/BP/NR/R	111,987	N	\$ 5,766				4,197		\$ 4,197				1,569		\$ 1,569
56	(56) 7:3 2003A Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	8/22/2003	8/1/2033	US Bank NA	Bonds issue to fund non-housing projects.	C	9,787,605	N	\$ 406,884				250,760		\$ 250,760				156,124		\$ 156,124
57	(57) 7:4 2007A/AT/B Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	5/30/2007	8/1/2037	US Bank NA	Bonds issue to fund non-housing projects.	ALL	110,059,293	N	\$ 4,526,429				2,608,537		\$ 2,608,537				1,917,892		\$ 1,917,892
58	(58) 7:5 2007A/AT/B Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	5/30/2007	8/1/2037	US Bank NA	Bonds issue to fund housing projects.	ALL	23,320,932	N	\$ 836,716				477,790		\$ 477,790				358,926		\$ 358,926
59	(59) 7:6 Montalvin Manor Project Start Up Loan	City/County Loans On or Before 6/27/11	6/30/2003	7/8/2034	Contra Costa County	Loan for project administration	M		Y	\$ -						\$ -						\$ -
60	(60) 7:7 Bond-License agreement	Professional Services	3/31/2006	3/31/2038	DAC	Document repository for bond issues	ALL	54,000	N	\$ 5,400		2,500		200		\$ 2,700		2,700				\$ 2,700
61	(61) 7:8 Bond-Treasurer fees	Fees	7/10/1984	8/1/2037	CCC Treasurer	Cash management for bond issues	ALL	12,000	N	\$ 1,176		588				\$ 588		588				\$ 588
63	(63) 7:11 Hookston Station Remediation	Litigation	11/5/1997	8/1/2037	Bank Of Amer, Trustee	Remediation of hazardous material	C	1,286,000	N	\$ 20,000		10,000				\$ 10,000		10,000				\$ 10,000
65	(65) 7:13 Fiscal Agreement	Improvement/Infrastructure	5/8/1990	7/10/2031	EBRPD	Project improvement			Y													
68	(68) 7:16 Trustee fees	Fees	4/20/1999	8/1/2018	US Bank	Annual administration fees 99TAB	C/BP/NR/R	29,997	N	\$ 6,000		2,420		580		\$ 3,000		3,000				\$ 3,000
69	(69) 7:17 Trustee fees	Fees	8/22/2003	8/1/2033	US Bank	Annual administration fees 03ATAB	C/BP/NR/R	65,478	N	\$ 7,000				3,500		\$ 3,500		3,500				\$ 3,500
71	(71) 7:19 Trustee fees	Fees	5/30/2007	8/1/2037	US Bank	Annual administration fees 07TAB	ALL	118,085	N	\$ 11,800				5,900		\$ 5,900		5,900				\$ 5,900
76	(76) 7:24 Financial Assistance	OPA/DDA/Construction	5/23/1989	5/1/2017	Park Regency	Agency assistance	C	1,650,000	N	\$ 550,000		-		-		\$ -				550,000		\$ 550,000

Contra Costa County Recognized Obligation Payment Schedule (ROPS 16-17) - ROPS Detail																						
July 1, 2016 through June 30, 2017																						
(Report Amounts in Whole Dollars)																						
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name/Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	ROPS 16-17 Total	16-17A					16-17A Total	16-17B					16-17B Total
											Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF			Trust Fund (Non-RPTTF)			RPTTF		
											Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin		Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
77	(77) 7:25 Financial Assistance	OPA/DDA/Construction	11/1/1998	11/1/2053	Bridge Housing	Agency assistance	C	1,500,000	N	\$ 100,000		50,000		50,000		\$ 100,000						\$ -
78	(78) 7:26 Financial Assistance	OPA/DDA/Construction	12/19/2005	5/1/2064	AvalonBay	Agency assistance.	C	40,136,645	N	\$ 1,327,812						\$ -				1,327,812		\$ 1,327,812
82	(82) 8:19 IH Trail/Hookston Sttn Remediatn	Litigation	8/15/2012	12/31/2017	Goldfarb Lipman	Remediation of IH corridor parcels	C	45,067	N	\$ 90,134		45,067				\$ 45,067		45,067				\$ 45,067
83	(83) 8:20 IH Trail/Hookston Sttn Remediatn	Litigation	8/15/2012	5/1/2064	Contra Costa County	Remediation of IH corridor parcels	C	24,120	N	\$ 48,240		24,120				\$ 24,120		24,120				\$ 24,120
88	(88) 8:25 Transit Village	OPA/DDA/Construction	8/15/2012	12/31/2017	Goldfarb & Lipman	Transit Village implementation	C	16,009	N	\$ 11,072		5,536				\$ 5,536		5,536				\$ 5,536
89	(89) 8:26 Transit Village	OPA/DDA/Construction	8/15/2012	5/1/2019	Contra Costa County	Payroll for employees Project management costs.	C	40,000	N	\$ 30,000				15,000		\$ 15,000				15,000		\$ 15,000
91	(91) 8:28 Hookston Station Remediation	Litigation	1/23/2012	6/15/2017	Ensafe	Administrator of haz-mat remediation fund.	C	23,333	N	\$ 8,000		2,600		1,400		\$ 4,000		4,000				\$ 4,000
94	(94) 6:0 Administrative Allowance	Admin Costs	7/1/2016	5/1/2064	Contra Costa County	Administrative Allowance ROPS 2016-17	ALL	5,000,000	N	\$ 252,544					126,272	\$ 126,272					126,272	\$ 126,272
104	(104) 10:02 Iron Horse (IH) Corridor Remediation and property management	Remediation	7/1/2013	5/1/2064	Contra Costa County	Direct costs for IH Corridor properties, including maintenance, and remediation.		147,601	N	\$ 25,000						\$ -				25,000		\$ 25,000
105	(105) 10:03 IH Corridor Remediation and property management	Remediation	7/1/2013	5/1/2064	Contra Costa County	Management of IH Corridor properties, coordinating maintenance, remediation, and preparation of property transfer.		60,000	N	\$ 40,000				20,000		\$ 20,000				20,000		\$ 20,000
108	(108) 10:06 Litigation Costs for Defaulted Loans	Litigation	6/30/2011	7/10/2031	CCC Counsel	Litigation costs to collect on default SA outstanding notes receivables (from Vallero, Keefe).	ALL	4,800	N	\$ 9,600		4,800				\$ 4,800		4,800				\$ 4,800
109	(109) 10:07 Bond Arbitrage Rebate Reporting Compliance	Fees	7/1/2011	6/30/2017	BLX Group LLC	Arbitrage Rebate Compliance Services	ALL	69,256	N	\$ 5,800		2,900				\$ 2,900		2,900				\$ 2,900
110	(110) 10:08 Disclosure Statements Reporting Compliance	Fees	4/20/1999	3/1/2038	Jones Hall/Fraser & Associates	Disclosure Statements Compliance Services	ALL	138,300	N	\$ 10,000		5,000				\$ 5,000		5,000				\$ 5,000
124	(124) LMIHAF Deposit for loan Repayment (Line 59)	LMIHF Loans	6/30/2003	7/8/2034	CCC Housing Successor	20% deposit to the LMIHF related to loan repayment			Y													

Contra Costa County Recognized Obligation Payment Schedule (ROPS 16-17) - Report of Cash Balances
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (I), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see CASH BALANCE TIPS SHEET								
A	B	C	D	E	F	G	H	I
	Cash Balance Information by ROPS Period	Fund Sources						Comments
		Bond Proceeds		Reserve Balance		Other	RPTTF	
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	
ROPS 15-16A Actuals (07/01/15 - 12/31/15)								
1	Beginning Available Cash Balance (Actual 07/01/15)	4,977,641		1,050,567	50,000	10	1,154,828	UNSPENT ROPS 13-14A = \$784,148 + ROPS 14-15A=\$321,293 + ROPS 14-15B=\$49,387.
2	Revenue/Income (Actual 12/31/15) RPTTF amounts should tie to the ROPS 15-16A distribution from the County Auditor-Controller during June 2015	127				6	5,274,938	RPTTF CASH DISBTRIBUTION FOR ROPS 15-16A
3	Expenditures for ROPS 15-16A Enforceable Obligations (Actual 12/31/15)	1,067,500		10,020	50,000		4,605,831	ACTUAL CASH EXP AID AS OF 12/31/15
4	Retention of Available Cash Balance (Actual 12/31/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	2,477,178					938,906	RETENTION/CARRY OVER OF ROPS 7:24 & 7:26 TO NEXT ROPS PERIOD (\$275,000 + \$663,906 = \$938,906.
5	ROPS 15-16A RPTTF Balances Remaining	No entry required						
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ 1,433,090	\$ -	\$ 1,040,547	\$ -	\$ 16	\$ 885,029	
ROPS 15-16B Estimate (01/01/16 - 06/30/16)								
7	Beginning Available Cash Balance (Actual 01/01/16) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ 3,910,268	\$ -	\$ 1,040,547	\$ 938,906	\$ 16	\$ 885,029	AVAILABLE CASH BALANCE PER FINANCE SYSTEM = \$2,864,498 (\$1,040,547 + 938,906 + 16 + \$885,029). SEE PROOF OF CASH.
8	Revenue/Income (Estimate 06/30/16) RPTTF amounts should tie to the ROPS 15-16B distribution from the County Auditor-Controller during January 2016						5,069,683	
9	Expenditures for ROPS 15-16B Enforceable Obligations (Estimate 06/30/16)	1,432,813		544,046	938,906		5,119,070	
10	Retention of Available Cash Balance (Estimate 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)							
11	Ending Estimated Available Cash Balance (7 + 8 - 9 -10)	\$ 2,477,455	\$ -	\$ 496,501	\$ -	\$ 16	\$ 835,642	UNSPENT ROPS 13-14A \$784,148 + 51,494 ROPS 15-16A = \$835,642

Contra Costa County Recognized Obligation Payment Schedule (ROPS 16-17) - Notes July 1, 2016 through June 30, 2017	
Item #	Notes/Comments
4	1:9 Youth Homes Facility. All anticipated funding for this item was previously shown on a previously approved Recognized Obligation Payment Schedule (ROPS). No additional funding is requested in connection with this ROPS 16-17 A & B period. Column K (ROPS 16-17 Total) should read \$42,300. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015 due to delays in project approval, contracting or implementation. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 A&B periods. For total outstanding debt or obligation, amount shown is as per most recent information as of January 1, 2016 . Use of LMIHF balances retained to cover future obligations in accordance with Finance 's LMIHF DDR determination.
10	2:3 Placemaking Transit Village: All anticipated funding for this item was previously shown on a previously approved ROPS. No additional funding is requested in connection with this ROPS 16-17. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015, due to delays in project approval, contracting or implementation. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 A & B periods. For total outstanding debt or obligation, amount shown is as per most recent information as of January 1, 2016.
14	2:8 CCC Infrastructure Improvements: All anticipated funding for this item was previously shown on a previously approved ROPS. No additional funding is requested in connection with this ROPS 16-17 A&B. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015 due to delays in project approval, contracting or implementation. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 A&B periods. For total outstanding debt or obligation, amount shown is as per most recent information as of January 1, 2016
21	2:18 Rodeo Obsolete Infrastructure Elements: RETIRED .
28	3:29 Property Holding Costs. All anticipated funding for this item was previously shown on a previously approved Recognized Obligation Payment Schedule (ROPS). No additional funding is requested in connection with this ROPS 16-17 A&B periods. Column K (ROPS 16-17 Total) should read \$5,357. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015 due to delays in project approval, contracting or implementation. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 A&B periods. For total outstanding debt or obligation, amount shown is as per most recent information as of January 1, 2016. Use of other Funds and Accounts (OFA) balances retained to cover future obligations in accordance with Finance's OFA DDR Determination.
46	5:24 Placemaking Transit Village (AvalonBay). All anticipated funding for this item was previously shown on a previously approved Recognized Obligation Payment Schedule (ROPS). No additional funding is requested in connection with this ROPS 16-17 A&B periods. Column K (ROPS 16-17 Total) should read \$384,213. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015, due to delays in project approval, contracting or implementation. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 period. For total outstanding debt or obligation, amount shown is as per most recent information as of January 1, 2016. Carryover of a preceding ROPS period RPTTF for use in this ROPS period.
54	7:1 1999 Tax Allocation Bonds: For total outstanding debt or obligation, amount shown is as per Debt Service Schedule for ROPS16-17 A&B. Calculation for ROPS 16-17A was 50% Principal plus Interest due to bondholders August 1, 2016. For ROPS 16-17B the amount due to bondholders for February 2017 is requested.
55	7:2 1999 Tax Allocation Bonds: For total outstanding debt or obligation, amount shown is as per Debt Service Schedule for ROPS16-17 A&B. Calculation for ROPS 16-17A was 50% Principal plus Interest due to bondholders August 1, 2016. Calculation for ROPS 16-17B is the amount due to bondholders on February 2017.
56	7:3 2003A Tax Allocation Bonds: For total outstanding debt or obligation, amount shown is as per Debt Service Schedule for ROPS16-17 A&B. Calculation for ROPS 16-17A was 50% Principal plus Interest due to bondholders August 1, 2016. Calculation for ROPS 16-17B is the amount due to bondholders on February 2017.
57	7:4 2007A/AT/B Tax Allocation Bonds: For total outstanding debt or obligation, amount shown is as per Debt Service Schedule for ROPS16-17 A&B. Calculation for ROPS 16-17A was 50% Principal plus Interest due to bondholders August 1, 2016. Calculation for ROPS 16-17B is the amount due to bondholders on February 2017.
58	7:5 2007A/AT/B Tax Allocation Bonds: For total outstanding debt or obligation, amount shown is as per Debt Service Schedule for ROPS16-17 A&B. Calculation for ROPS 16-17A was 50% Principal plus Interest due to bondholders August 1, 2016. Calculation for ROPS 16-17B is the amount due to bondholders on February 2017.
59	7:6 Montalvin Manor Project Start Up Loan. Retired.
60	7:7 Bond-License agreement: All anticipated funding for this item was previously shown on a previously approved Recognized Obligation Payment Schedule (ROPS). An additional funding is requested in connection with this ROPS 16-17. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015, due to delays in project approval, contracting or implementation. Column K (ROPS 16-17 Total) should read \$2,700. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 period. For total outstanding debt or obligation, amount shown is as per most recent information as of January 1, 2016.
61	7:8 Bond-Treasurer fees. All anticipated funding for this item was previously shown on a previously approved Recognized Obligation Payment Schedule (ROPS). No additional funding is requested in connection with this ROPS 16-17. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015, due to delays in project approval, contracting or implementation. Column K (ROPS 16-17 Total) should read \$588. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 period. For total outstanding debt or obligation, amount shown is as per most recent information as of January 2016. Carryover of a preceding ROPS period RPTTF for use in this ROPS period.

Contra Costa County Recognized Obligation Payment Schedule (ROPS 16-17) - Notes July 1, 2016 through June 30, 2017	
Item #	Notes/Comments
63	7:11 Hookston Station Remediation. Column K (ROPS 16-17 Total) should read \$10,000.
65	7:13 Fiscal Agreement
68	7:16 Trustee fees: Column K (ROPS 16-17 Total) should read \$3,000.
69	7:17 Trustee fees: Column K (ROPS 16-17 Total) should read \$3,500.
71	7:19 Trustee fees: Column K (ROPS 16-17 Total) should read \$5,900.
76	7:24 Financial Assistance. RPTTF funding is requested to pay the obligation in ROPS16-17B period.
77	7:25 Financial Assistance for BRIDGE Housing: \$50,000 was carried over from prior ROPS period and \$50,000 in RPTTF funds are requested. The full \$100,000 annual payment is made during ROPS 16-17A period.
78	7:26 Financial Assistance for Avalon Bay. For ROPS 16-17, the full amount is requested in ROPS 16-17B Period.
82	8:19 Iron Horse Trail/Hookston Station Remediation: All anticipated funding for this item was previously shown on a previously approved ROPS. No additional funding is requested in connection with this ROPS 16-17. Column K (ROPS 16-17 Total) should read \$45,067. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015, due to delays in project approval, contracting or implementation. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 period. For total outstanding debt or obligation, amount shown is as per most recent information as of January 1, 2016. Carryover of a preceding ROPS period RPTTF for use in this ROPS period.
83	8:20 Iron Horse Trail/Hookston Station Remediation: All anticipated funding for this item was previously shown on a previously approved ROPS. No additional funding is requested in connection with this ROPS 16-17. Column K (ROPS 16-17 Total) should read \$24,120. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015, due to delays in project approval, contracting or implementation. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 period. For total outstanding debt or obligation, amount shown is as per most recent information as of January 1, 2016. Carryover of a preceding ROPS period RPTTF for use in this ROPS period.
88	8:25 Transit Village. All anticipated funding for this item was previously shown on a previously approved Recognized Obligation Payment Schedule (ROPS). No additional funding is requested in connection with this ROPS 16-17. Column K (ROPS 16-17 Total) should read \$5,536. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015, due to delays in project approval, contracting or implementation. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 period. For total outstanding debt or obligation, amount shown is as per most recent information as of January 1, 2016.
89	8:26 Transit Village. RPTTF funding is requested for ROPS 16-17 A&B period.
91	8:28 Hookston Station Remediation: Additional funding is requested under RPTTF. Column K (ROPS 16-17 Total) should read \$4,000.
94	6:0 Administrative Allowance
104	10:02 Iron Horse Corridor Remediation and Property Management: Funding requested under RPPTF amounting to \$22,000.
105	10:03 IH Corridor Remediation and Property Management: Staff costs for management of property
108	10:06 Litigation Costs for Defaulted Loans: Litigation costs to collect on default Successor Agency outstanding notes receivable (from Valero and Keefe). Column K (ROPS 16-17 Total) should read \$4,800. Collected funds will be used to pay enforceable obligations or distributed to taxing entities. All anticipated funding for this item was previously shown on a previously approved Recognized Obligation Payment Schedule (ROPS). No additional funding is requested in connection with this ROPS 16-17. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015, due to delays in project approval, contracting or implementation. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 period. For total outstanding debt or obligation, amount shown is as per most recent information as of January 1, 2016.
109	10:07 Bond Arbitrage Rebate Reporting Compliance: Funds required for mandatory obligation to file Bond Arbitrage Rebate Report related to outstanding 1999 Tax Allocation Bond. All anticipated funding for this item was previously shown on a previously approved Recognized Obligation Payment Schedule (ROPS). No additional funding is requested in connection with this ROPS 16-17. Column K (ROPS 16-17 Total) should read \$2,900. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending December 31, 2015, due to delays in project approval, contracting or implementation. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 16-17 period. For total outstanding debt or obligation, amount shown is as per most recent information as of January 1, 2016.
110	10:08 Disclosure Statements Reporting Compliance: Funds required for mandatory obligation to file annual Disclosure Statements related to outstanding 1999 Tax Allocation Bond, 2003 Tax Allocation Bond and 2007 Tax Allocation Bond. All anticipated funding for this item was previously shown on a previously approved Recognized Obligation Payment Schedule (ROPS). No additional funding is requested in connection with this ROPS 15-16B. Column K (ROPS 16-17 Total) should read \$5,000. However, not all of the funds approved on previous approved ROPS were actually spent during the period ending June 30, 2015, due to delays in project approval, contracting or implementation. By this note, it is indicated that some of the funds designated for this item on a previously approved ROPS may actually be carried forward and spent during some or all the months of this ROPS 15-16B period. For total outstanding debt or obligation, amount shown is as per most recent information as of July 1, 2015.
124	LMIHAF Deposit for 20% of Montalvin Loan Repayment (Line 59). Retired.