

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

**AGENDA**  
**April 12, 2016**

**9:00 A.M. Convene and announce adjournment to closed session in Room 101.**

**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; Teamsters Local 856.

2. Agency Negotiators: David Twa.

Unrepresented Employees: All unrepresented employees.

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

1. *Jeffrey M. Nelson v. Contra Costa County*, WCAB #'s ADJ8600139; ADJ9109712

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

**C. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION**

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

**D. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Property: 1700 Oak Park Blvd., Pleasant Hill

Agency Negotiator: Karen Laws, Principal Real Property Agent

Negotiating Parties: Contra Costa County and Pleasant Hill Recreation & Park District

Under negotiation: Price and payment terms

**9:30 a.m. Call to order and opening ceremonies.**

Inspirational Thought- "*Today is your day to paint life in bold colors, set today's rhythm with your heart-drum, walk today's march with courage. Create today as your celebration of life.* ~ Jonathan Lockwood Huie

**CONSIDER CONSENT ITEMS** (Items listed as C.1 through C.79 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 to recognize April as Alcohol Awareness Month in Contra Costa County. (Supervisor Glover)
- PR.2** PRESENTATION proclaiming April 10-16, 2016 as "Week of the Young Child". (Kathy Gallagher, Employment and Human Services Director)
- PR.3** PRESENTATION to proclaim April 10-16, 2016 as National Crime Victims' Rights Week in promotion of victims' rights and to recognize crime victims and those who advocate on their behalf. (Mark Peterson, District Attorney)
- PR.4** PRESENTATION declaring April, 2016 as "Child Abuse Prevention Month" in Contra Costa County. (Supervisor Andersen)
- PR.5** PRESENTATION recognizing April 5, 2016 as Day for National Service, in Contra Costa County. (Supervisor Andersen)

**DISCUSSION ITEMS**

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

## **D. 2 PUBLIC COMMENT (3 Minutes/Speaker)**

- D. 3** CONSIDER adopting recommended assumptions and methods for use in Contra Costa County Other Post Employment Benefit Plan GASB (Governmental Accounting Standards Board) 45 Actuarial Valuation as of January 1, 2016, as recommended by the County Administrator. (Lisa Driscoll, County Finance Director)
- D. 4** CONSIDER a position of support on the Medi-Cal Funding and Accountability Act, as recommended by the Legislation Committee. (William Walker, M.D., Health Services Director)
- D. 5** CONSIDER adopting Resolution No. 2016/314 to temporarily close part-day, part year Center Based pre-school and Home Based programs, abolish project positions and layoff employees in the Employment and Human Services Department, Community Services Bureau, and in August, 2016 re-establish positions. (Camilla Rand, Community Services Bureau Director)
- D. 6** HEARING to consider declaring Contra Costa County's intent to become a member of a Groundwater Sustainability Agency for the Tracy Subbasin within Contra Costa County, as recommended by the Transportation, Water and Infrastructure Committee. (John Kopchik, Conservation and Development Director)
- D. 7** CONSIDER accepting a report from the Public Protection Committee on a letter received from the Contra Costa County Racial Justice Coalition, approving formation of the ad hoc Contra Costa County Disproportionate Minority Contact Task Force and taking related actions. (Timothy Ewell, County Administrator's Office)
- D. 8** CONSIDER adopting Resolution No. 2016/163 approving the Side Letter between Contra Costa County and Local 1 to increase the base rate of pay for the classifications of Lead Electrician and Electrician by three and four-tenths percent (3.4%), effective May 1, 2016. (David Twa, County Administrator)
- D. 9** CONSIDER adopting Resolution No. 2016/318 to amend agreements to reduce West Contra Costa Healthcare District's allocation of ad valorem property taxes from the District to the County, as requested by the West Contra Costa Healthcare District Board. (Supervisor Gioia)

D. 10 CONSIDER reports of Board members.

**Closed Session**

***ADJOURN***

## **CONSENT ITEMS**

### **Road and Transportation**

- C. 1** REJECT all bids received on March 8, 2016, for the 2016 Bay Point Asphalt Rubber Cape Seal Project, and ORDER any bid bonds posted by the bidders to be exonerated and any checks or cash submitted for security to be returned, as recommended by the Public Works Director, Bay Point area. (93% Local Road Funds and 7% CalRecycle Grant Funds)
- C. 2** AWARD and AUTHORIZE the Public Works Director, or designee, to execute a construction contract in the amount of \$836,845 with Pavement Coatings Co. for the 2016 Slurry Seal Project, Alamo, Clayton, and Walnut Creek areas. (100% Local Road Funds)
- C. 3** ACCEPT background report on the Marsh Creek Corridor Multi Use Trail concept from the Departments of Public Works and Conservation and Development, and ADOPT Resolution No. 2016/326 supporting exploration of the concept of the Marsh Creek Corridor Multi-Use Trail, and other related efforts to advance the concept. (100% Dedicated Transportation Funds)

### **Engineering Services**

- C. 4** ADOPT Resolution No. 2016/156 accepting completion of the warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, subdivision SD03-08689, for a project developed by Shapell Industries of Northern California, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (100% Developer Fees)
- C. 5** ADOPT Resolution No. 2016/155 accepting completion of landscape improvements for the Subdivision Agreement (Right-of-Way Landscaping) for road acceptance RA04-01168, for a project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (100% Developer Fees)

### **Special Districts & County Airports**

- C. 6** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Concord Flying Club for a shade hangar at Buchanan Field Airport, effective March 25, 2016, in the monthly amount of \$177.07. (100% Airport Enterprise Fund)

- C. 7** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Kent Ipsen for a large T-hangar at Buchanan Field Airport, effective March 18, 2016, in the monthly amount of \$748.23. (100% Airport Enterprise Fund)

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

- C. 8** DENY claims filed by USSA Insurance for Stephanie Green, Nationwide Ins. a/s/o Wunmi Mohammed-Kamson, Jane Young, Jonathan Ortega, and CSAA o/b/o Jesus Alvarado Rodriguez. DENY late claims filed by Allison Cassidy on behalf of her son, Delano Cassidy, a minor.

Acting as the Contra Costa County Fire Protection District Board, DENY claims filed by State Farm Ins. for Stephen Zendt and an amended claim filed by State Farm Ins. for Stephen Zendt.

### **Honors & Proclamations**

- C. 9** ADOPT Resolution No. 2016/140 proclaiming April 10-16, 2016 as "Week of the Young Child", as recommended by the Employment and Human Services Director.
- C. 10** ADOPT Resolution No. 2016/136 to proclaim April 10-16, 2016 as "National Crime Victims' Rights Week" in promotion of victims' rights and to recognize crime victims and those who advocate on their behalf, as recommended by the District Attorney.
- C. 11** ADOPT Resolution No. 2016/125 declaring April, 2016 as "Child Abuse Prevention Month" in Contra Costa County, as recommended by Supervisor Andersen.
- C. 12** ADOPT Resolution No. 2016/143 recognizing April 5, 2016 as "Day for National Service", in Contra Costa County, as recommended by Supervisor Andersen.
- C. 13** ADOPT Resolution No. 2016/150 to recognize April as "Alcohol Awareness Month" in Contra Costa County, as recommended by Supervisor Glover.
- C. 14** ADOPT Resolution No. 2016/158 recognizing Ed and Kathy Chiverton for their many years of community service, as recommended by Supervisor Andersen.
- C. 15** ADOPT Resolution No. 2016/164 recognizing Judy Dinkle as the Moraga Citizen of the Year, as recommended by Supervisor Andersen.

## Ordinances

- C. 16** ADOPT Ordinance No. 2016-09 amending the County Ordinance code to remove certain classes from the Information technology and Health-Medical groups of job classifications that are excluded from the Merit System and reorder the exempt classifications in the Health-Medical group, as recommended by the County Administrator.

## Appointments & Resignations

- C. 17** ACCEPT the resignation of Webb Johnson, DECLARE vacant the Contra Costa County Historical Society #3 seat on the Contra Costa County Historical Landmarks Advisory Committee, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Conservation and Development Director.
- C. 18** APPOINT Walter Fields to the District V Representative Alternate seat on the Contra Costa Fire Protection District Advisory Commission, as recommended by Supervisor Glover.
- C. 19** REAPPOINT Aleida Andrino-Chavez to the Rodeo Member seat, Dr. Maureen Powers to the San Pablo Member seat, and Thomas Hansen to the Crockett Member seat on the Western Contra Costa County Transit Authority Board, as recommended by Supervisor Glover.
- C. 20** ACCEPT the resignation of Peggy Black, DECLARE a vacancy in the District V Family Member seat on the Mental Health Commission, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Glover.
- C. 21** ACCEPT resignation of Doug Stewart, DECLARE a vacancy in the District V Member seat on the Contra Costa County Planning Commission, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Glover.
- C. 22** APPROVE the medical staff appointments and reappointments, additional privileges, medical staff advancement, voluntary resignations and internal medicine privilege form, as recommend by the Medical Staff Executive Committee, at their March 21, 2016 meeting, and by the Health Services Director.
- C. 23** APPOINT Amin Bhupen to Private / Non-profit Alternate seat on the Economic Opportunity Council, as recommended by the Employment and Human Services Director.

## Appropriation Adjustments

- C. 24** Public Defender's Office (0243): APPROVE Appropriations and Revenue Adjustment No. 5058 authorizing new revenue in the amount of \$37,119 from the National Juvenile Defender Center, and appropriating it for contracted temporary help to host a pilot Juvenile Post Disposition Reentry Legal Fellowship program in the Office of the Public Defender.
- C. 25** Traffic Safety Fund (0368)/CSA P-2 Zone A (7653): APPROVE Appropriations and Revenue Adjustment No. 5059 authorizing the transfer of appropriations in the amount of \$12,830 from the Traffic Safety Fund to CSA P-2 Zone A and authorizing additional revenue in the amount of \$25,842 from accumulated depreciation for the purchase of one police patrol vehicle for use in the Blackhawk area. (67% CSA P-2 Zone A, 33% Traffic Safety Fund)
- C. 26** Public Defender's Office (0243): APPROVE Appropriations and Revenue Adjustment No. 5050 authorizing new revenue in the amount of \$72,585 from the San Francisco Foundation and the California Endowment, and appropriating it to fund salaries and benefits for three temporary clerical positions to implement the Proposition 47 Outreach Program in Office of the Public Defender.

### **Intergovernmental Relations**

- C. 27** AUTHORIZE the Chair of the Board of Supervisors to sign a letter to the Contra Costa Transportation Authority requesting that the County be included in the annual rotation of the Chair and Vice Chair of the Board of the Authority, as recommended by the Transportation, Water and Infrastructure Committee.
- C. 28** ADOPT an "Oppose" position on AB 1707 (Linder), as introduced: Public Records: Response to Request, a bill that would require a written response identifying type of record withheld as exempt and the specific exemption that justifies withholding that type of record, as recommended by the Legislation Committee. (No fiscal impact)

### **Personnel Actions**

- C. 29** ADOPT Position Adjustment Resolution No. 21847 to add four Registered Nurse-Experienced Level positions (represented), four Mental Health Clinical Specialist positions (represented), and one Administrative Aide position (unrepresented) in the Health Services Department. (100% FQHC revenue offset and HRSA MAT Grant funds)
- C. 30** ADOPT Position Adjustment Resolution No. 21848 to add one Clerical Supervisor position (represented) and cancel one vacant Clerk-Senior level position (represented) in the Health Services Department. (85% State California Children Services funds and 15% General Fund)

- C. 31** ADOPT Position Adjustment Resolution No. 21849 to add four Community Health Worker II positions (represented), and cancel two vacant Clerk-Senior level positions (represented) and two vacant Clerk-Experienced level positions (represented) in the Health Services Department. (Cost savings)
- C. 32** ADOPT Position Adjustment Resolution No. 21850 to increase the hours of one permanent part-time Cook position (represented) from 24/40 to 40/40 in the Health Services Department. (100% Enterprise Fund I)

### Leases

- C. 33** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a revenue lease amendment with New Cingular Wireless PCS, LLC, for real property located at 1850 Muir Road in Martinez, to extend the term through March 31, 2021. (100% General Fund)

### Grants & Contracts

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

- C. 34** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the California Department of Food and Agriculture to reimburse the County up to \$3,120 for inspecting recycling establishments licensed as weighmasters and determining compliance with Business and Professions Code Section 12703.1, for the period July 1, 2016 through June 30, 2017. (No County match)
- C. 35** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept grant funding in an amount not to exceed \$20,000 from the Heritage Bank of Commerce for Small Business Development Center services to the low-to-moderate income population in Antioch for the period July 1, 2016 through June 30, 2017. (\$20,000 budgeted, County match)
- C. 36** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute an amendment with the California Department of Health Care Services, effective May 15, 2016, to implement a budgetary shift of funds from one line item to another, for continuation of the Strategic Prevention Framework State Incentive Grant Project, with no change in the original amount of \$123,000 payable to the County, and no change in the original term of September 29, 2015 through May 31, 2016. (No match required)

- C. 37 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute, a contract amendment with the Department of Health Care Services, effective July 1, 2015, to make technical adjustments to the budget and to increase the amount payable to County by \$520,803, to a new payment limit not to exceed \$31,024,788, for continuation of the Drug Medi-Cal Substance Abuse Treatment Services with no change in the original term of July 1, 2014 through June 30, 2017. (No County match)
- C. 38 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute, a contract amendment with the Department of Health Care Services, effective July 1, 2016, to make technical adjustments to the budget and to increase the amount payable to County by \$1,807,056, to a new payment limit not to exceed \$32,831,844, for continuation of the Drug Medi-Cal Substance Abuse Treatment Services with no change in the original term of July 1, 2014 through June 30, 2017. (No County match)
- C. 39 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with the California Department of Public Health, Nutrition Education and Obesity Prevention Program, effective March 1, 2016, to make technical adjustments to the fiscal year 2015-2016 budget to increase the total amount payable to County by \$181,557, to a new total amount of \$3,915,763, with no change in the original term of October 1, 2013 through September 30, 2016. (No County match)
- C. 40 APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to apply for and accept a grant from the California Department of Alcoholic Beverage Control, in an initial amount of \$101,571 to fund proactive enforcement targeting the unauthorized sale of alcoholic beverage by businesses within the County for the period July 1, 2016 through June 30, 2017. (100% State)

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

- C. 41 APPROVE clarification of Board action of November 17, 2015 (C.45), which authorized the Chief Information Officer or designee to execute an Executable Quote and Oracle Master Agreement with Oracle America, Inc., for PeopleSoft Enterprise license and support, to accurately reflect the correct contract term of November 24, 2015 through November 26, 2016, with no change change to the payment limit of \$480,728, as recommended by the Chief Information Officer (Department of Information Technology). (Charges to all County departments)
- C. 42 ACKNOWLEDGE and CONSENT to extend the start date to February 9, 2016 and to extend the completion date to May 31, 2016, in connection with the rehabilitation of the Church Lane Apartments in San Pablo by Resource for Community Development using \$455,000 in Community Development Block Grant funds borrowed from the County. (100% Federal funds)

- C. 43** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Employment and Human Services Director, a purchase order with SSP Data in an amount not to exceed \$199,906 to procure backups for servers and databases for the period March 13, 2016 through March 12, 2017. (10% County; 45% State; 45% Federal)
- C. 44** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with MGA Healthcare, Inc., effective March 1, 2016, to increase the payment limit by \$1,600,000 to a new payment limit of \$2,600,000, and to revise the rate schedule to include additional temporary work categories at Contra Costa Regional Medical and Health Centers, with no change in the original term of January 1 through December 31, 2016. (100% Hospital Enterprise Fund I)
- C. 45** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee to execute a contract with O3, Inc., in an amount not to exceed \$30,000 to provide the Emergency Services Unit with WebEOC software support for the term of April 1, 2016 through March 31, 2017. (100% General Fund)
- C. 46** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Julia Dyckman Andrus Memorial, Inc., effective May 5, 2016, to increase the payment limit by \$36,765 to a new payment limit of \$133,170, for trauma awareness training services to department California Work Opportunity and Responsibility and Welfare-to-Work staff, for the period October 5, 2015 through October 31, 2016. (Federal 84%, State 13%, County 3%)
- C. 47** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Care Review Resources, Inc., in an amount not to exceed \$166,257 to provide health care consultation, technical assistance and chart review services for Contra Costa Regional Medical and Health Centers designated staff, for the period March 1, 2016 through February 28, 2017. (100% Hospital Enterprise Fund I)
- C. 48** APPROVE and AUTHORIZE the Interim Chief Probation Officer, or designee, to execute a contract amendment with the University of Cincinnati Research Institute, to extend the term from June 30, 2016 through June 30, 2017 and increase the payment limit by \$42,000 to a new payment limit of \$200,000, to provide consulting services in the Juvenile Hall. (100% General Fund)
- C. 49** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with World Courier Ground, Inc., effective November 1, 2015, to increase the payment limit by \$40,000 to a new payment limit of \$780,000 to provide additional courier services to Contra Costa Regional Medical and Health Centers, with no change in the original term of April 1, 2014 through March 31, 2017. (100% Hospital Enterprise Fund I)

- C. 50** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Rawel Randhawa, M.D., in an amount not to exceed \$562,000 to provide gastroenterology services at Contra Costa Regional Medical and Health Centers, for the period March 1, 2016 through February 28, 2018. (100% Hospital Enterprise Fund I)
- C. 51** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Indra Singh, M.D., in an amount not to exceed \$266,240 to provide outpatient psychiatric services in Central County, for the period May 1, 2016 through April 30, 2017. (100% Mental Health Services Act)
- C. 52** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute an unpaid student training agreement with University of the Pacific, Thomas J. Long School of Pharmacy and Health Services, to provide supervised field instruction at Contra Costa Regional Medical Center and Health Centers to pharmacy students, for the period April 1, 2016 through March 31, 2021. (No fiscal impact)
- C. 53** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with National Council on Crime and Delinquency, effective April 1, 2016, to increase the payment limit by \$165,782 to a new payment limit of \$222,751, for the continued services of the Phase II Lethality Assessment Program Implementation for Domestic Violence Homicide Prevention for the period December 5, 2014 through September 30, 2016. (91% Federal, 9% State)
- C. 54** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Monument Impact in an amount not to exceed \$247,575 to provide consultation, training, education, and evaluation of programs and policies to limit the sale of flavored tobacco near schools, for the period September 1, 2015 through June 30, 2020. (100% California Department of Public Health grant)
- C. 55** ADOPT Resolution No. 2016/153 authorizing the Sheriff Coroner, or designee, to apply for and accept the U.S. Department of Homeland Security, 2015 Pre-Disaster Mitigation Grant in an amount not to exceed \$150,000 for the update of the Contra Costa County Regional Hazard Mitigation Plan. (75% Federal, 25% In-Kind match)
- C. 56** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a non-financial agreement with Vizient, Inc., to perform financial and clinical data sharing at Contra Costa Regional Medical Center and Health Centers, for the period January 1 through December 31, 2016. (Non-financial agreement)

- C. 57** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with the Regents of the University of California, on behalf of the University of California, San Francisco Medical Center, in an amount not to exceed \$320,000 to provide remote neurology and neurovascular consultation services for patients at Contra Costa Regional Medical Center and Contra Costa Health Centers, for the period January 1, 2016 through December 31, 2017. (100% Hospital Enterprise Fund I)
- C. 58** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Ortho Clinic Diagnostics, Inc., in the amount of \$124,192 to purchase an Ortho Vision Analyzer used in the Clinical Laboratory at the Contra Costa Regional Medical Center, for the period July 1, 2016 through June 30, 2020. (100% Hospital Enterprise Fund I)
- C. 59** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Seneca Family of Agencies, effective April 1, 2016, to increase the payment limit by \$243,859 to a new payment limit of \$7,044,996 to provide additional Mobile Crisis Response Team services for seriously emotionally disturbed children and their families, with no change in the original term of July 1, 2015 through June 30, 2016; and to increase the automatic extension payment limit by \$121,930 to a new payment limit of \$3,522,498, through December 31, 2016. (46% Federal Financial Participation; 49% Mental Health Realignment; 5% Mental Health Services Act)
- C. 60** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing mutual indemnification language with PerformRx in an amount not to exceed \$95,000,000, to provide pharmacy administration services for the Contra Costa Health Plan, for the period May 1, 2016 through April 30, 2017. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 61** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Victor Treatment Centers, Inc., effective April 1, 2016 to include case management services for seriously emotionally disturbed youth, with no change in the original payment limit of \$260,000, no change in the original term of July 1, 2015 through June 30, 2016, and no change in the six-month automatic extension amount of \$130,000 through December 31, 2016. (50% Federal Financial Participation; 50% County Realignment)
- C. 62** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Medical Solutions, LLC (dba Nebraska Medical Solutions Staffing, LLC), effective March 15, 2016, to increase the payment limit by \$900,000 to a new payment limit of \$2,500,000 to provide additional hours of temporary staffing services at Contra Costa Regional Medical and Health Centers, with no change in the original term of July 1, 2015 through June 30, 2016. (100% Hospital Enterprise Fund I)

- C. 63** APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute required legal documents to provide \$650,000 of Housing Opportunities for Persons with HIV/AIDS funds to Tabora Gardens, L.P., a California limited partnership, for the Tabora Gardens Apartment project in Antioch; and ADOPT related California Environmental Quality Act findings. (100% federal funds)
- C. 64** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order amendment with Spike's Produce, to increase the payment limit by \$150,000 to a new payment limit of \$500,000 to provide food products for the preparation of inmate meals in the three County adult detention facilities for the period July 1, 2015 through June 30, 2016. (100% General Fund)

### Other Actions

- C. 65** APPROVE and ADOPT the 2016-2022 Capital Improvement Plan for Parks and Sheriff's facilities and the Biennial Compliance Checklist for the Measure J Growth Management Program, and take related California Environmental Quality Act actions, as recommended by the Conservation and Development Director.
- C. 66** ACCEPT and APPROVE the Employment and Human Services Department, Children and Family Services Bureau, System Improvement Plan as recommended by the Employment and Human Services Director, and AUTHORIZE the Chair, Board of Supervisors, to sign the System Improvement Plan.
- C. 67** APPROVE the design and bid documents, including plans and specifications, and related actions under the California Environmental Quality Act for the Expansion of the Family Practice Clinic, 2311 Loveridge Road, Pittsburg, for the Health Services Department Project; and AUTHORIZE the Public Works Director, or designee, to solicit bids to be received on or about May 19, 2016, and to issue bid addenda, as needed, for clarification of the contract bid documents. (100% Hospital Enterprise Fund I)
- C. 68** APPROVE election consolidation requests from each jurisdiction that has filed a resolution with the County Clerk-Recorder, Elections Division, to consolidate their elections with the June 7, 2016 Primary Election and AUTHORIZE the County Clerk-Recorder, Elections Division, to conduct elections for those jurisdictions. (Costs are reimbursable through affected jurisdictions)
- C. 69** APPROVE and AUTHORIZE the Department of Conservation and Development to initiate a General Plan Amendment study to consider changing the General Plan land use designation from Multiple-Family Residential – High Density to Commercial for the vacant property located immediately northeast of the San Pablo Avenue/Crestwood Drive intersection, San Pablo area, Assessor's Parcel No. 405-203-018 (County File #GP16-0003). (100% Applicant fees)

- C. 70** APPROVE the list of providers recommended by Contra Costa Health Plan's Peer Review and Credentialing Committee on March 8, 2016, and by the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.
- C. 71** ACCEPT the audit findings, audit response and related policy changes that were reviewed and approved by the Contra Costa Regional Medical Center Hospital Joint Conference Committee in response to the Health Resources and Services Administration (HRSA) 2015 Operational Site Visit, and APPROVE the Health Services Department's Health Care for the Homeless Program's response to the findings as recommended by the Contra Costa Regional Medical Center Hospital Joint Conference Committee.
- C. 72** APPROVE and AUTHORIZE the County Administrator or designee to execute, on behalf of the County, a Community Choice Aggregator Non-Disclosure Agreement with Pacific Gas and Electric Company, including modified indemnification language, to obtain electrical load data within Contra Costa County. (100% County General Fund)
- C. 73** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to reallocate two Early Head Start childcare slots from County-operated childcare centers to contracted childcare partner programs, effective July 1, 2016.
- C. 74** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order with Dell, Inc., in an amount not to exceed \$196,572 to purchase VMWare Horizon virtual desktop software for the Office of the Sheriff. (100% General Fund)
- C. 75** ACCEPT the 2014/15 annual report from the Public Works Director on the Internal Services Fund for the County's Vehicle Fleet and on the disposition of low-mileage vehicles, as recommended by the Internal Operations Committee.
- C. 76** ADOPT Resolution No. 2016/157 approving the issuance of Multifamily Housing Revenue Bonds by the California Municipal Finance Authority in an amount not to exceed \$30,000,000 to finance the acquisition and rehabilitation of Miraflores Senior Apartments located at the corner of South 45th Street and Florida Avenue, Richmond, and authorize other related actions, as recommended by the Conservation and Development Director. (100% Special Revenue Funds)
- C. 77** ACCEPT the 2015 Annual Housing Element Progress Report, as recommended by the Conservation and Development Director.
- C. 78** 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. 79** AUTHORIZE the Auditor-Controller to issue a one-time payment in the amount of \$15,000 to the Contra Costa Family Medicine Residency Program, as recommended by the Health Services Director. (100% Song-Brown grant funds)

### **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:

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

## 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 Candace Andersen) 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	June 22, 2016	1:30 p.m.	See above
Family & Human Services Committee	May 9, 2016	1:00 p.m.	See above
Finance Committee	April 14, 2016	10:30 a.m.	See above
Hiring Outreach Oversight Committee	May 9, 2016	9:00 a.m.	See above
Internal Operations Committee	April 25, 2016	11:00 a.m.	See above

Legislation Committee	April 11, 2016 Cancelled May 9, 2016	10:30 a.m.	See above
Public Protection Committee	April 25, 2016	9:00 a.m.	See above
Transportation, Water & Infrastructure Committee	April 14, 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** (CCCYPD) 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: David Twa, County Administrator  
Date: April 12, 2016

Subject: Other Post Employment Benefits 2016 Valuation Assumptions

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**RECOMMENDATION(S):**

ADOPT recommended assumptions and methods for use in Contra Costa County Other Post Employment Benefit Plan GASB 45 Actuarial Valuation as of January 1, 2016.

**FISCAL IMPACT:**

This report is for informational purposes and has no specific impact; however, the result of the recommendations herein, if implemented, may have impact on the County's calculated Other Post Employment Benefit Liability.

**BACKGROUND:**

An Other Post Employment Benefit Plan (OPEB) Valuation Report is required per Governmental Accounting Standards Board (GASB) Statements 43 and 45 to be completed, by a County the size of Contra Costa, every two years. The report presents a calculation of liability and has no specific fiscal impact on its own.

In 2004, due to growing concern over the potential magnitude of government employer obligations for post-employment benefits, the Government Accounting Standards Board enacted Statement 45. The main reason for the Statement was to establish uniform accrual accounting and reporting of these governmental liabilities much like under the Financial Accounting Standards Board (FASB) rules that already applied to the private sector for OPEBs (and GASB 25 and 27 statements that already applied to governmental pension liabilities). Accrual accounting was needed to report the cost of providing government services over the working lifetime of employees providing the services, rather than just the "pay-as-you-go" (paygo) cost that was not realized until after those employees retired.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 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: Ann Elliott, Employee Benefits Manager, Robert Campbell, County Auditor-Controller, Russell Watts, County Treasurer-Tax Collector, Patrick Godley, Chief Financial Officer/Health Services

## BACKGROUND: (CONT'D)

>

Additionally, an intended audience for these GASB 45 results was the bond markets so that they could better assess levels of government solvency in issuing debt. Although plan solvency was not the main impetus behind Statement 45, GASB 45 is considered 'funding friendly' because it adds some security for those receiving the benefits, if those benefits are actually pre-funded. Because Statement 45 requires the public sector to account for total long term OPEB costs over the active service life of benefit-earning employees, rather than reporting current year OPEB costs only for existing retirees, it is thought that shining the light on these long term liabilities would force the public sector to address, and hopefully avoid, the collapses in benefit plans that have occurred in the private sector.

Pursuant to GASB 45 requirements, Contra Costa County ordered its initial actuarial report in 2006. The 2006 report valued the County's unfunded liability for retiree medical costs at \$2.6 billion based upon a cash discount rate. This outstanding liability, if fully amortized over the following 30 years, would have necessitated an Annual Required Contribution (ARC) of \$216 million. At that point in time, \$216 million would have been six times the amount that the County was paying toward retiree health care costs on a paygo basis.

The County has received four actuarial reports since that time, which describe the significant actions the County has taken to reduce its OPEB liability since 2006. Interim valuation results have also been presented to the Board of Supervisors, pursuant to California Government Code 7507, since the 2008 report. Interim reports are required prior to the adoption of changes to these benefits. The County's ability to reduce the liability has had significant impact on the County's overall fiscal stability and ability to deliver services.

The majority of the elements of the valuation report are directed by GASB, however, some are not. In 2013, the County issued an RFP and selected Milliman, Inc. to be the County's OPEB actuary. Milliman reviewed the County's actuarial cost method and assumptions, confirmed some and recommended that the County change others. Staff reviewed the methods with the actuary and the Auditor recommended that the Board adopt the changes for the 2014 valuation. The changes led to a more accurate valuation of the County's OPEB liability. The same process has been used in preparation for the 2016 valuation. Over the last few months, Milliman has again reviewed the County's actuarial cost method and assumptions, confirmed some and recommended that the County change others. The proposed changes have taken into consideration the changes that will be required, per the GASB Statement 75 for the 2018 valuation. Staff reviewed the methods with the actuary and the Auditor and recommends that the Board adopt the following two changes for the 2016 valuation. The changes will lead to a more accurate valuation of the County's OPEB liability.

### ***Actuarial Cost Method***

We recommended that the actuarial cost method used for determining the benefit obligations be changed from the Entry Age Normal cost method to the Projected Unit Credit cost method for 2014. We had excellent reasons for that change at the time. The Entry Age Normal cost method is typically used to value pension benefits related to salary. Since health benefits are not based on salary, the Projected Unit Credit cost method is commonly used for OPEB valuations, as it allocates the present value of future benefits based on an employee's expected service with the County at retirement. The Actuarial Accrued Liability (AAL) is equal to the present value of future benefits prorated by service to the valuation date over service at the expected retirement age. The Normal Cost is equal to the portion of the present value of future benefits attributed to one year of service. This equals the present value of benefits divided by the expected years of service at retirement. Note that the actuarial cost method does not change the present value of the County's expected future OPEB payments. It only defines the method by which the present value of OPEB payments are allocated to each fiscal year for accounting purposes. However, in June 2015, GASB adopted standards 74 and 75 which will govern new accounting which is first effective for fiscal year ending June 30, 2017 for the fund itself and June 30, 2018 for the County. The new standard mandates the use of the individual Entry Age Normal cost method as a level percentage of salary. While the County could keep the Projected Unit Credit method for the 2016 valuation, the County will need to switch over in the next valuation for GASB 75. Staff is recommending that we make the change now.

### ***Coverage Election Assumptions***

In valuations prior to 2014, an assumption of marital status was included; however, assumed coverage elections for spouses and dependent children were not specified. For the 2014 valuation, we recommended use of assumed coverage elections based on County experience and detailed in the attached list of assumptions. The change yielded a lower liability result than previous assumptions. For the 2016 valuation, we are recommending a change in the spouse election assumption for new Safety retirees, addition of PEPRA Tier retirement rates, and an update of the medical information trend to reflect the delay of the effective date of the high cost plan Excise Tax (Cadillac Tax) from 2018 to 2020, and the one (1) year suspension of the Health Insurer fee in 2017.

The recommended changes to methods and assumptions and those current assumptions that we are recommending not be changed are included in an attachment for reference.

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

There will be a delay in the required issuance of the Contra Costa County Other Post Employment Benefit Plan GASB 45 Actuarial Valuation.

### **ATTACHMENTS**

Recommended Assumptions and Methods - OPEB Actuarial Valuation as of January 1, 2016



650 California Street, 17th Floor  
San Francisco, CA 94108-2702  
USA

Tel +1 415 403 1333  
Fax +1 415 403 1334

milliman.com

March 24, 2016

Ms. Lisa Driscoll  
County Finance Director  
County Administrator's Office  
651 Pine Street, 10th Floor  
Martinez, CA 94553

***Recommended Assumptions and Methods for Contra Costa County Other Post Employment  
Benefit Plan GASB 45 Actuarial Valuation as of January 1, 2016***

Dear Lisa:

We have prepared and enclosed for your review a summary of recommended assumptions and methods that we intend to use in our January 1, 2016 actuarial valuation of Contra Costa County's retiree health benefits. The enclosed appendices are shown as they would appear in our actuarial valuation report. Appendix B contains the actuarial assumptions and methods, and Appendix C contains a summary of proposed assumption changes.

Please review the proposed assumptions and methods and let us know if the county approves of them. Please note that the discount rate of 5.7% was estimated based on the County's current policy of partially funding its OPEB liabilities. Under GASB 45, the discount rate for partially funded OPEB plans should represent a weighted average of the long term expected return on plan assets held in trust and the long term expected return on the County's general funds. Since the weight is based on the ratio of the actual contribution to the Annual Required Contribution (ARC), we cannot determine a precise discount rate until all other assumptions and methods are selected and the valuation is run. Therefore, the discount rate should be considered an estimate that is potentially subject to change.

If you have any questions, please call me at (415) 394-3740.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Botsford".

John R. Botsford, FSA, MAAA  
Principal and Consulting Actuary

JRB:dyu  
enc.

## Appendix B. Actuarial Cost Method and Assumptions

**Actuarial Cost Method** The actuarial cost method used for determining the benefit obligations is the individual Entry Age Normal Cost Method. Under the principles of this method, the actuarial present value of the projected benefits of each individual included in the valuation is allocated as a level percentage of expected salary for each year of employment between entry age (defined as age at hire) and assumed exit.

The portion of this actuarial present value allocated to a valuation year is called the normal cost. The portion of this actuarial present value not provided for at a valuation date by the sum of (a) the actuarial value of the assets, and (b) the actuarial present value of future normal costs is called the Unfunded Actuarial Accrued Liability (UAAL).

The Actuarial Value of Assets is equal to the market value of assets as of the valuation date. In determining the Annual Required Contribution, the Unfunded AAL is amortized as a level dollar amount over 30 years on a "closed" basis. There are 22 years remaining in the amortization period as of January 1, 2016. The actuarial assumptions are summarized below.

### Economic Assumptions

*Discount Rate (Liabilities)* 5.70%

We have used a discount rate of 5.70% in this valuation to reflect the County's current policy of partially funding its OPEB liabilities. This rate is derived based on the fund's investment policy, level of partial funding, and includes a 2.50% long-term inflation assumption. County OPEB Irrevocable Trust assets are invested in the Public Agency Retirement Services' Highmark Portfolio. Based on the portfolio's target allocation (shown below), the average return of Trust assets over the next 50 years is expected to be 6.13%, which would be an appropriate discount rate if the County's annual contribution is equal to the ARC. If the County were to elect not to fund any amount to a Trust, the discount rate would be based on the expected return of the County's general fund (we have assumed a long term return of 3.50% for the County's general fund). Since the County is partially funding the Trust with a contribution of \$20 million per year, we used a blended discount rate of 5.70%. This is the same discount rate used in the January 1, 2014 actuarial valuation.

Asset Class	Expected 1-Year Nominal Return	Targeted Asset Allocation
Domestic Equity Large Cap	7.63%	17.0%
Domestic Equity Mid Cap	8.21%	6.0%
Domestic Equity Small Cap	8.81%	8.0%
U.S. Fixed Income	5.00%	38.0%
International	8.60%	9.0%
Global Equity (Developed)	8.21%	7.0%
Real Estate	7.71%	4.0%
Cash	3.27%	1.0%
Alternatives	4.57%	10.0%
<b>Expected Geometric Median Annual Return (50 years)</b>		<b>6.13%</b>

*Assumed Salary Increases (Applied to Individual Entry Age Normal Cost Method)*

The assumed annual rates of compensation increases used for the EAN actuarial cost method are the same as the assumption used in the December 31, 2014 CCCERA Actuarial Valuation.

Years of Service	General	Safety
Less than 1	13.50%	14.00%
1	10.50%	10.50%
2	8.75%	9.25%
3	7.25%	8.00%
4	6.25%	6.25%
5	5.50%	5.00%
6	5.25%	4.75%
7	5.00%	4.75%
8 or more	4.75%	4.75%

**Demographic Assumptions**

Below is a summary of the assumed rates for mortality, retirement, disability and withdrawal, which are consistent with assumptions used in the December 31, 2014 CCCERA Actuarial Valuation. These assumptions were adopted by CCCERA in connection with a study of experience during 2010-2012.

*Pre / Post Retirement Mortality*

**Healthy:** For General Members: RP-2000 Combined Healthy Mortality Table projected to 2030 with Scale AA, set back one year.

For Safety Members: RP-2000 Combined Healthy Mortality Table projected to 2030 with Scale AA, set back two years.

**Disabled:** For General Members: RP-2000 Combined Healthy Mortality Table projected to 2030 with Scale AA, set forward six years for males and set forward seven years for females.

For Safety Members: RP-2000 Combined Healthy Mortality Table projected to 2030 with Scale AA, set forward three years.

**Beneficiaries:** Beneficiaries are assumed to have the same mortality as a General Member of the opposite sex who had taken a service (non-disability) retirement.

*Disability*

Age	General Tier 3	Safety (All Tiers)
20	0.01%	0.02%
25	0.02%	0.22%
30	0.03%	0.42%
35	0.05%	0.56%
40	0.08%	0.66%
45	0.13%	0.94%
50	0.17%	2.54%

*Retirement* – For this valuation, we have applied the Tier 3 rates for all General employees and Tier A rates for all Safety employees since nearly all current employees are in these two pension tiers, with the exception of those who were hired after January 1, 2013 as the PEPRA tiers.

Age	General Tier 3	General PEPRA	Safety Tier A	Safety PEPRA
45	0%	0%	2%	0%
46	0%	0%	2%	0%
47	0%	0%	7%	0%
48	0%	0%	7%	0%
49	0%	0%	20%	0%
50	4%	0%	25%	5%
51	3%	0%	25%	4%
52	3%	2%	25%	4%
53	5%	3%	25%	5%
54	5%	3%	25%	5%
55	10%	5%	30%	6%
56	10%	5%	25%	8%
57	10%	6%	25%	12%
58	12%	8%	35%	18%
59	12%	9%	35%	20%
60	15%	10%	40%	20%
61	20%	14%	40%	20%
62	27%	21%	40%	20%
63	27%	21%	40%	20%
64	30%	21%	40%	100%
65	40%	27%	100%	100%
66 – 69	40%	33%	100%	100%
70 – 74	40%	50%	100%	100%
75	100%	100%	100%	100%

*Withdrawal* – Sample probabilities of terminating employment with the County are shown below for selected years of County service.

Years of Service	General	Safety
Less than 1	13.50%	11.50%
1	9.00%	6.50%
2	9.00%	5.00%
3	6.00%	4.00%
4	4.50%	3.50%
5	4.00%	3.00%
10	2.75%	1.90%
15	2.10%	1.40%
20 or more	2.00%	1.00%

**Coverage Election Assumptions**

*Retiree Coverage* – We have assumed 90% of new retirees hired before the exclusion date stated in Appendix A will elect medical and dental coverage at retirement. For employees hired after the exclusion date stated in Appendix A, we assumed 50% will elect to enroll in the health plans without any County subsidy.

*Spouse Coverage* – We have assumed 50% of new General retirees and 60% of new Safety retirees electing coverage will elect spouse medical and dental coverage at retirement.

*Spouse Age* – Female spouses are assumed to be three years younger than male spouses.

*Dependent Coverage* – We have assumed 30% of retirees with no spouse coverage will elect coverage for a dependent child until age 65 and 50% of retirees with spouse coverage will elect coverage for a dependent child until age 65.

*Health Plan Election* – We have assumed that new retirees will remain enrolled in the same plan they were enrolled in as actives. For actives who waived coverage, we have assumed that they will elect Kaiser plan coverage. For retirees enrolled in either the CalPERS Anthem and Blue Shield plans, we assumed they will transfer to the United Health Care Medicare Supplement plan upon reaching age 65, as the CalPERS health plan no longer offers Anthem or Blue Shield coverage for Medicare eligible retirees.

**Valuation of Retiree Premium Subsidy Due to Active Health Costs**

Currently, the County and California PERS (PEMHCA) health plans charge the same premiums for retirees who are not yet eligible for Medicare as for active employees. Therefore, the retiree premium rates are being subsidized by the inclusion of active lives in setting rates. (Premiums calculated only based on retiree health claims experience would have resulted in higher retiree premiums.) GASB 45 requires that the value of this subsidy be recognized as a liability in valuations of OPEB costs. To account for the fact that per member health costs vary depending on age (higher health costs at older ages), we calculated equivalent per member per month (PMPM) costs that vary by age based on the age distribution of covered members, and based on relative cost factors by age. The relative cost factors were developed from the Milliman Health Cost Guidelines<sup>TM</sup>. Based on the carrier premium rates and relative age cost factors assumptions, we developed age adjusted monthly PMPM health costs for 2016 to be used in valuing the implicit rate subsidy.

Since retirees eligible for Medicare (age 65 and beyond) are enrolled in Medicare supplemental plans, the premiums for retirees with Medicare are determined without regard to active employee claims experience and no such subsidy exists for this group for medical cost.

**Medical Cost Inflation Assumption**

We assumed future increases to the health costs and premiums are based on the “Getzen” model published by the Society of Actuaries for purposes of evaluating long term medical trend. Under the Patient Protection and Affordable Care Act of 2010, a Federal excise tax will apply for high cost health plans beginning in 2020. A margin to reflect the impact of the excise tax in future years is reflected in the assumed trend. The following table shows the assumed rate increases in future years for Medical premiums.

Calendar Year	County Plans Pre 65	Calendar Year	County Plans Post 65	Calendar Year	PEMHCA Plans Pre 65	Calendar Year	PEMHCA Plans Post 65
2016	4.50%	2016	5.25%	2016	4.50%	2016	5.00%
2017	8.00%	2017	8.25%	2017	8.00%	2017	8.25%
2018	5.50%	2018 – 2021	5.50%	2018 – 2021	5.50%	2018 – 2020	5.50%
2019 – 2020	5.25%	2022 – 2036	5.75%	2022 – 2036	6.25%	2021 – 2036	5.75%
2021 – 2023	5.50%	2037 – 2040	5.50%	2037 – 2038	6.00%	2037 – 2041	5.50%
2024 – 2025	5.75%	2041 – 2043	6.00%	2039 – 2044	5.75%	2042 – 2048	5.25%
2026	6.25%	2044 – 2046	5.75%	2045 – 2057	5.50%	2049 – 2053	5.75%
2027	6.50%	2047	6.00%	2058 – 2063	5.25%	2054 – 2060	5.50%
2028	6.25%	2048	6.25%	2064 – 2065	5.00%	2061 – 2062	5.75%
2029 - 2030	6.50%	2049 – 2053	6.00%	2066 – 2069	4.75%	2063 – 2064	5.50%
2031 – 2036	6.25%	2054 – 2060	5.75%	2070 +	4.50%	2065 – 2067	5.25%
2037 – 2039	6.00%	2061 – 2063	5.50%			2068 – 2069	5.00%
2040 – 2046	5.75%	2064 – 2065	5.25%			2070 – 2091	4.75%
2047 – 2059	5.50%	2066 – 2068	5.00%			2092 +	4.50%
2060 – 2063	5.25%	2069 – 2075	4.75%				
2064 – 2066	5.00%	2076 +	4.50%				
2067 – 2069	4.75%						
2070 +	4.50%						

**Dental Cost** We assumed Dental costs will increase 4.0% annually.

### **Appendix C. Changes in Actuarial Cost Method and Assumptions**

The following is a list of recommended assumption and method changes from the prior actuarial valuation.

#### ***Actuarial Cost Method***

We recommend that the actuarial cost method used for determining the benefit obligations be changed from the Projected Unit Credit cost method to the individual Entry Age Normal cost method. This is the actuarial cost method adopted by the GASB board in June 2015 for the upcoming GASB 74/75 standards in which the implementation date for the OPEB Fund under GASB 74 will be for the fiscal year ending June 30, 2017, and for the County under GASB 75 will be for the fiscal year ending June 30, 2018.

#### ***Spouse Coverage Election Assumption***

We recommend that the spouse coverage election assumption be changed from 50% for all new retirees electing coverage to 50% for all new General retirees electing coverage and 60% for all new Safety retirees electing coverage. Our recommendation is based on a review of the County experience from 2012 to 2015.

#### ***Health Cost Inflation Assumption***

We developed the medical cost trend for the prior valuation based on the "Getzen" model published by the Society of Actuaries for purposes of evaluating long term medical trend. The medical trend includes the effect of the Patient Protection and Affordable Care Act of 2010, on future health costs. The Consolidated Appropriations Act of 2016 delayed the excise tax on high cost plans from 2018 to 2020, and eliminated the Health Insurer Fee for calendar year 2017 only. The Health Insurer Fee will be assessed again in calendar year 2018. We recommend the medical trend be updated to reflect these recent legislative changes.

#### ***Retirement Rates for PEPRA Tier Employees***

We recommend the usage of the PEPRA Tier retirement rates developed by CCCERA for employees hired on or after January 1, 2013. The rates are shown in Appendix B.



Contra  
Costa  
County

To: Board of Supervisors  
From: LEGISLATION COMMITTEE  
Date: April 12, 2016

Subject: Endorsement Request - Medi-Cal Funding and Accountability Act

---

**RECOMMENDATION(S):**

ADOPT a position of support on the Medi-Cal Funding and Accountability Act.

**FISCAL IMPACT:**

The Act makes the Medi-Cal hospital fee program and the protections permanent to create more certainty and to deliver approximately \$10 billion in matching funds during the first three years. The Act also ensures that these funds cannot be diverted for other purposes.

**BACKGROUND:**

The Legislation Committee at its March 14, 2016 meeting recommended that the Board of Supervisors consider the Medi-Cal Funding and Accountability Act and adopt a position of support on it.

In the fall of 2013, Governor Brown signed Senate Bill 239 (Hernandez), which was passed by the state Legislature without a single "No" vote. The legislation established an initial three-year Medi-Cal hospital fee program to ensure that California can unlock billions annually in federal matching funds for supplemental Medi-Cal payments to hospitals. The Act makes the fee program and the protections permanent to create more certainty and to deliver approximately \$10 billion in matching funds during the first three years.

The Act also ensures that these funds *cannot be diverted for other purposes*. Without ongoing protections for the hospital fee program, hospitals that care for children, seniors and low-income residents will be vulnerable to payment cuts or other budget politics. Funding protected by the Act will help prevent closures or cutbacks in local hospitals

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: L. DeLaney,  
925-335-1097

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

## BACKGROUND: (CONT'D)

>

and will help preserve access for millions of men, women and children. California is home to more than 12 million Medi-Cal beneficiaries, more than half of which are children.

The Medi-Cal Funding and Accountability Act (branded as 'Keep A Good Idea Working') is endorsed by a diverse coalition of sectors in California, including approximately 800 hospitals and health systems, health care advocacy groups, medical and dental groups, community benefit organizations, senior and children's organizations and the business community. On Dec. 3, 2015, the Board of Directors of the California Association of Counties (CSAC) voted 51-0 to support the Act. The [Coalition Website](#) also provides additional information.

Attached is the Fact Sheet, current Master Coalition List, and Endorsement Form.

The Legislation Committee considered this initiative at their March 14, 2016 meeting and recommended that the Board of Supervisors consider the item as a Discussion item, and take a position of "Support" on it.

## ATTACHMENTS

Endorsement Form

Fact Sheet

Coalition List

Hospital Council Letter

Providing Care for 12 Million Children, Seniors and Working Families

## JOIN US!

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Organization/Occupation: \_\_\_\_\_  
(For identification purposes only unless otherwise noted)

Official Organizational Endorsement (Y/N): \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Bus. Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Twitter Handle:@ \_\_\_\_\_ Facebook: (Y/N) \_\_\_\_\_

Please contact me so I can participate in media activities.

You may use my name/organization as a coalition member and supporter of the Medi-Cal Funding and Accountability Act:

\_\_\_\_\_  
(Signature required)

Please return by email to [CHA@randlecommunications.com](mailto:CHA@randlecommunications.com)  
or by fax to (916) 448-5872. *Thank you for your support.*

## Providing Care for 12 Million Children, Seniors and Working Families

**Thanks to a historic bipartisan legislative agreement in 2013**, without a single “No” vote and with the governor’s signature, California will receive billions a year in new federal funding for health care for children and seniors. However, this law expires in 2017.

The Medi-Cal Funding and Accountability Act (Act) is a simple, common sense solution that makes the reforms permanent and guarantees ongoing federal health care funding. This change is needed now to ensure that California receives its fair share from Washington DC and to ensure the money is spent as intended.

### **Government Accountability**

At a time of great uncertainty about health care, the Act ensures new federal matching funds are used for those who truly need it. The Act holds the Legislature accountable and prohibits government, bureaucrats or other special interests from diverting funds away from health care for unrelated purposes. Any changes to the use of the funds would have to be approved by voters first.

### **\$3 Billion Annually in New Federal Matching Funds**

Hospitals have agreed to participate in a program that unlocks approximately \$3 billion a year in new federal matching funds, maximizing California’s share. The money must be spent to provide health care services to children and resources for Medi-Cal to serve elderly and low-income Californians. Without these resources, the money would have to come from privately insured patients.

### **Protect Taxpayers and Access to Hospital Care**

People with private insurance shouldn’t have their premiums increased to subsidize Medi-Cal when federal money is available to help cover the cost. Funding guaranteed by the Act will also help prevent closures or cutbacks in local hospitals and emergency rooms.

### **Statewide Support**

Hospitals and health care providers across California have joined together to sponsor this common sense solution, which protects services for children and seniors. There is no organized opposition to the measure.

# KEEP A GOOD IDEA WORKING

## Coalition List

### Health Care Associations

- California Hospital Association
- California Children’s Hospital Association
- Hospital Association of San Diego & Imperial Counties
- Hospital Association of Southern California
- Hospital Council of Northern & Central California
- Alliance of Catholic Health Care
- American Academy of Pediatrics - California
- American Congress of Obstetricians and Gynecologists, District IX (California)\*
- Association of California Healthcare Districts
- Association of California Nurse Leaders
- California Academy of Physician Assistants\*
- California Alliance of Child and Family Services\*
- California Ambulance Association\*
- California Ambulatory Surgery Association\*
- California Association of Alcohol and Drug Program Executives, Inc. (CAADPE) \*
- California Association of Health Facilities
- California Association of Health Plans
- California Association of Health Underwriters\*
- California Association of Medical Product Suppliers\*
- California Association for Nurse Practitioners\*\*
- California Association of Neurological Surgeons\*
- California Association of Nurse Anesthetists
- California Association of Physician Groups
- California Black Health Network\*
- California Chapter of the American College of Cardiology\*
- California Council of Community Mental Health Agencies (CCCMHA)\*
- California Dental Association
- California Medical Association\*
- California Orthopaedic Association\*
- California Pharmacists Association
- California Primary Care Association\*
- California Psychological Association\*
- California Radiological Society\*
- California Society for Clinical Social Work\*
- California Society of Addiction Medicine (CSAM)\*
- California Society of Health-System Pharmacists
- California Society of Industrial Medicine and Surgery\*
- California Society of Pathologists
- Children’s Specialty Care Coalition
- District Hospital Leadership Forum\*
- Infectious Disease Association of California\*
- Medical Oncology Association of Southern California, Inc. (MOASC)\*
- Mental Health America in California\*
- Mental Health Association of Orange County\*
- Network of Ethnic Physician Organizations\*
- Osteopathic Physicians & Surgeons of California
- PEACH, Inc. (Private Essential Access Community Hospitals)
- Southern California Public Health Association\*

### Children’s Hospitals

- Children’s Hospital Los Angeles
- Children’s Hospital Orange County
- CHOC Children’s at Mission Hospital
- HealthBridge Children’s Hospital\*
- Loma Linda University Children’s Hospital
- Lucile Packard Children’s Hospital
- Miller Children’s Hospital Long Beach
- Rady Children’s Hospital – San Diego
- Valley Children’s Healthcare

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# KEEP A GOOD IDEA WORKING

## Hospitals + Healthcare Districts

- Adventist Medical Center – Hanford
- Adventist Medical Center - Reedley
- Alhambra Hospital Medical Center
- Alta Bates Summit Medical Center
- Alvarado Hospital
- Alvarado Parkway Institute
- Anaheim Regional Medical Center
- Antelope Valley Hospital
- Arroyo Grande Community Hospital
- Bakersfield Memorial Hospital
- Ballard Rehabilitation Hospital
- Banner Lassen Medical Center
- Barlow Respiratory Hospital
- Barstow Community Hospital\*
- Barton Health
- Bear Valley Community Healthcare District
- Beverly Hospital\*
- BHC Alhambra Hospital
- California Hospital Medical Center
- California Pacific Medical Center
- Canyon Ridge Hospital\*
- Casa Colina Centers for Rehabilitation
- Catalina Island Medical Center
- Cedars-Sinai Medical Center
- Centinela Hospital Medical Center
- Central Valley General Hospital
- Chinese Hospital
- Chino Valley Medical Center\*
- Citrus Valley Medical Center – Inter Community Campus\*
- Citrus Valley Medical Center – Queen of the Valley Campus\*
- City of Hope
- Clovis Community Medical Center
- Coalinga Regional Medical Center
- Coast Plaza Hospital\*
- College Hospital Cerritos
- College Hospital Costa Mesa\*
- College Medical Center
- Colusa Regional Medical Center
- Community Behavioral Health Center
- Community Hospital of Huntington Park\*
- Community Hospital Long Beach
- Community Hospital of the Monterey Peninsula
- Community Hospital of San Bernardino
- Community Memorial Hospital
- Community Regional Medical Center
- Corona Regional Medical Center
- Dameron Hospital Association
- Del Amo Hospital\*
- Delano Regional Medical Center
- Desert Regional Medical Center\*
- Desert Valley Hospital\*
- Doctors Hospital of Manteca\*
- Doctors Medical Center of Modesto\*
- Dominican Hospital
- East Los Angeles Doctors Hospital\*
- Eastern Plumas Health Care
- Eden Medical Center
- El Camino Hospital
- Emanuel Medical Center
- Encino Hospital Medical Center
- Enloe Medical Center
- Fairchild Medical Center
- Fallbrook Hospital\*
- Feather River Hospital\*
- Foothill Presbyterian Hospital\*
- Fountain Valley Regional Hospital\*
- Frank R. Howard Memorial Hospital\*
- Fremont Hospital
- French Hospital Medical Center
- Fresno Heart & Surgical Hospital
- Garden Grove Hospital and Medical Center
- Gardens Regional Hospital and Medical Center\*
- Glendale Adventist Medical Center
- Glendale Memorial Hospital and Health Center
- Glendora Community Hospital\*
- Glenn Medical Center\*
- Goleta Valley College Hospital
- Good Samaritan Hospital – Bakersfield
- Good Samaritan Hospital – Los Angeles

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\*New Endorsements (2015-2016)

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# KEEP A GOOD IDEA WORKING

- Good Samaritan Hospital – San Jose
- Greater El Monte Community Hospital
- Grossmont Healthcare District\*
- Hazel Hawkins Memorial Hospital
- Healdsburg District Hospital
- Hemet Valley Medical Center
- Henry Mayo Newhall Hospital\*
- Heritage Oaks Hospital
- Hi-Desert Medical Center\*
- Hollywood Presbyterian Medical Center
- Huntington Beach Hospital
- Inland Valley Medical Center\*
- Jewish Home
- John C. Fremont Healthcare District
- John F. Kennedy Memorial Hospital\*
- John Muir Behavioral Health
- John Muir Medical Center – Concord Campus
- John Muir Medical Center – Walnut Creek Campus
- Kaiser Permanente Antioch Medical Center
- Kaiser Permanente Baldwin Park Medical Center
- Kaiser Permanente Downey Medical Center
- Kaiser Permanente Fontana Medical Center
- Kaiser Permanente Fremont Medical Center
- Kaiser Permanente Fresno Medical Center
- Kaiser Permanente Los Angeles Medical Center
- Kaiser Permanente Modesto/Manteca Medical Center
- Kaiser Permanente Oakland/Richmond Medical Center
- Kaiser Permanente Ontario Medical Center
- Kaiser Permanente Orange County Medical Center
- Kaiser Permanente Panorama City Medical Center
- Kaiser Permanente Redwood City Medical Center
- Kaiser Permanente Riverside Medical Center
- Kaiser Permanente Roseville Medical Center
- Kaiser Permanente Sacramento Medical Center
- Kaiser Permanente San Diego Medical Center
- Kaiser Permanente San Francisco Medical Center
- Kaiser Permanente San Jose Medical Center
- Kaiser Permanente San Leandro Medical Center
- Kaiser Permanente San Rafael Medical Center
- Kaiser Permanente Santa Clara Medical Center
- Kaiser Permanente Santa Rosa Medical Center
- Kaiser Permanente South Bay Medical Center
- Kaiser Permanente South Sacramento Medical Center
- Kaiser Permanente South San Francisco Medical Center
- Kaiser Permanente Vacaville Medical Center
- Kaiser Permanente Vallejo Medical Center
- Kaiser Permanente Walnut Creek Medical Center
- Kaiser Permanente West Los Angeles Medical Center
- Kaiser Permanente Woodland Hills Medical Center
- Kaweah Delta Healthcare District
- Kern Valley Healthcare District
- Kindred Hospital San Diego
- La Palma Intercommunity Hospital
- Lakewood Regional Medical Center\*
- Lodi Health
- Loma Linda University Behavioral Medicine Center
- Loma Linda University Medical Center
- Loma Linda University Medical Center – Murrieta
- Lompoc Valley Medical Center
- Long Beach Memorial Medical Center
- Los Alamitos Medical Center\*
- Los Angeles Jewish Home
- Los Robles Hospital and Medical Center
- Madera Community Hospital
- Mammoth Hospital
- Marian Regional Medical Center
- Marian Regional Medical Center - West
- Marina Del Rey Hospital\*
- Marin General Hospital

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- Mark Twain St. Joseph's Hospital
- Marshall Medical Center
- Mayers Memorial Hospital District
- Mee Memorial Hospital
- Memorial Hospital of Gardena\*
- Memorial Hospital, Los Banos
- Memorial Medical Center
- Menifee Valley Medical Center\*
- Menlo Park Surgical Hospital
- Mercy General Hospital
- Mercy Hospital
- Mercy Hospital of Folsom
- Mercy Medical Center Merced
- Mercy Medical Center Mt. Shasta
- Mercy Medical Center Redding
- Mercy San Juan Medical Center
- Mercy Southwest Hospital
- Methodist Hospital of Sacramento
- Methodist Hospital of Southern California
- Mills-Peninsula Health Services
- Mission Community Hospital
- Mission Hospital
- Modoc Medical Center
- Monterey Park Hospital
- Montclair Hospital Medical Center\*
- Natividad Medical Center
- NorthBay Medical Center\*
- NorthBay VacaValley Hospital\*
- Northridge Hospital Medical Center
- Novato Community Hospital
- O'Connor Hospital
- Oak Valley Hospital District
- Ojai Valley Community Hospital
- Olympia Medical Center
- Orange Coast Memorial Medical Center
- Orchard Hospital
- PIH Health – Downey
- PIH Health – Whittier
- Pacific Alliance Medical Center
- Pacific Grove Hospital\*
- Palmdale Regional Medical Center\*
- Palo Verde Hospital\*
- Palomar Medical Center\*
- Paradise Valley Hospital
- Parkview Community Hospital Medical Center
- Petaluma Valley Hospital
- Pioneers Memorial Healthcare District
- Placentia-Linda Hospital\*
- Plumas District Hospital
- Pomerado Hospital\*
- Pomona Valley Hospital Medical Center
- Providence Holy Cross Medical Center
- Providence Little Company of Mary Medical Center San Pedro
- Providence Little Company of Mary Medical Center Torrance
- Providence Saint Joseph Medical Center
- Providence Tarzana Medical Center
- Queen of the Valley Medical Center
- Rancho Springs Medical Center\*
- Redlands Community Hospital
- Redwood Memorial Hospital
- Regional Medical Center of San Jose
- Ridgecrest Regional Hospital
- Riverside Community Hospital
- Saddleback Memorial Medical Center
- Saint Agnes Medical Center\*
- Saint Francis Memorial Hospital
- Saint John's Health Center
- Saint Louise Regional Hospital
- San Antonio Regional Hospital
- San Bernardino Mountains Community Hospital District
- San Dimas Community Hospital\*
- San Gabriel Valley Medical Center
- San Geronio Memorial Hospital
- San Joaquin Community Hospital
- San Joaquin Valley Rehabilitation Hospital
- San Ramon Regional Medical Center\*
- Santa Barbara Cottage Hospital
- Santa Rosa Memorial Hospital
- Santa Ynez Valley Cottage Hospital
- Scripps Green Hospital\*
- Scripps Memorial Hospital Encinitas\*
- Scripps Memorial Hospital La Jolla\*
- Scripps Mercy Hospital Chula Vista\*
- Scripps Mercy Hospital San Diego\*
- Seneca Healthcare District

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- Sequoia Hospital
- Seton Coastside
- Seton Medical Center
- Sharp Chula Vista Medical Center
- Sharp Coronado Hospital and Healthcare Center
- Sharp Grossmont Hospital
- Sharp Mary Birch Hospital for Women and Newborns
- Sharp Mesa Vista
- Sharp Memorial Hospital
- Shasta Regional Medical Center\*
- Sherman Oaks Hospital\*
- Sierra Nevada Memorial Hospital
- Sierra View Medical Center\*
- Sierra Vista Hospital
- Sierra Vista Regional Medical Center\*
- Simi Valley Hospital
- Sonoma Valley HealthCare District
- Sonora Regional Medical Center
- St. Bernadine Medical Center
- St. Elizabeth Community Hospital
- St. Francis Medical Center (Lynwood)\*
- St. Helena Hospital – Clear Lake
- St. Helena Hospital – Napa Valley
- St. Helena Hospital Center for Behavioral Health
- St. John’s Pleasant Valley Hospital
- St. John’s Regional Medical Center
- St. Joseph’s Behavioral Health Center
- St. Joseph Hospital (Eureka)
- St. Joseph Hospital (Orange)
- St. Joseph’s Medical Center
- St. Jude Medical Center\*
- St. Louise Regional Hospital
- St. Mary Medical Center (Apple Valley)
- St. Mary Medical Center (Long Beach)
- St. Mary’s Medical Center (San Francisco)
- St. Rose Hospital
- St. Vincent Medical Center
- Stanford Health Care
- Stanford Health Care – ValleyCare
- Surprise Valley Health Care District
- Sutter Amador Hospital
- Sutter Auburn Faith Hospital
- Sutter Coast Hospital
- Sutter Davis Hospital
- Sutter Delta Medical Center
- Sutter Lakeside Hospital and Center for Health
- Sutter Maternity & Surgery Center of Santa Cruz
- Sutter Medical Center, Sacramento
- Sutter Roseville Medical Center
- Sutter Santa Rosa Regional Hospital
- Sutter Solano Medical Center
- Sutter Tracy Community Hospital
- Tehachapi Valley Healthcare District
- Temecula Valley Hospital
- Totally Kids Rehabilitation Hospital
- Twin Cities Community Hospital\*
- USC – Norris Cancer Center\*
- USC – Verdugo Hills Hospital\*
- Ukiah Valley Medical Center
- ValleyCare Health System\*
- Valley Presbyterian Hospital
- Vibra Hospital Northern California
- Victor Valley Global Medical Center
- Watsonville Community Hospital\*
- West Anaheim Medical Center\*
- West Hills Hospital and Medical Center\*
- White Memorial Medical Center
- Woodland Healthcare

## Clinics

- Alliance for Rural Community Health (ARCH)\*
- Anderson Family Health & Dental Center\*
- Antelope Valley Community Clinic\*
- Big Sur Health Center\*
- Burre Dental Center\*
- California Association of Rural Health Clinics\*
- Cleaver Family Wellness Clinic\*
- Clinica de Salud del Valle de Salinas
- Clinica Monsenor Oscar A. Romero\*

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- Community Clinic Association of Los Angeles County (CCALAC)\*
- Community Clinic Consortium of Contra Costa and Solano Counties\*
- Community Health Partnership (10 Clinics)\*
- Council of Community Clinics (serving San Diego, Riverside & Imperial Counties)
- Del Norte Community Health Center\*
- Eisner Pediatric & Family Medical Center\*\*
- Eureka Community Health Center\*
- Ferndale Community Health Center\*
- Forestville Teen Clinic\*
- Forestville Wellness Center\*
- Fortuna Community Health Center\*
- Golden Valley Health Centers\*
- Gravenstein Community Health Center\*
- Happy Valley Family Health Center\*
- Harbor Community Clinic\*
- Humboldt Open Door Clinic\*
- Imperial Beach Community Clinic\*
- Kids Come First Health Center\*
- L.A. Mission College Student Health Center\*
- Maclay Health Center for Children\*
- McKinley Community Health\*
- Mendocino Coast Clinics\*
- Mission Neighborhood Health Center\*
- Mobile Health Services\*
- Mountain Health and Community Services, Inc.(5 Clinics)\*
- Neighborhood Healthcare (10 Clinics)\*
- NEVHC Canoga Park Health Center\*
- NEVHC Health Center for the Homeless, North Hollywood\*
- NEVHC Mobile Medical Unit\*
- NEVHC Pacoima Health Center\*
- NEVHC Pediatric Health & WIC Center\*
- NEVHC Rainbow Dental Center\*
- NEVHC San Fernando Health Center\*
- NEVHC Santa Clarita Health Center\*
- NEVHC Sun Valley Health Center\*
- NEVHC Valencia Health Center\*
- North East Medical Services (10 Clinics)\*
- Northcountry Clinic\*
- Northcountry Prenatal Services\*
- Northeast Valley Health Corporation\*
- Occidental Area Health Center\*
- Open Door Community Health Centers (8 Clinics)\*
- PDI Surgery Center\*
- Peach Tree Health\*
- Petaluma Health Center\*
- Planned Parenthood Affiliates of California\*
- Primary Care Neuropsychiatry (PCN)\*
- QueensCare Health Centers (5 Clinics)\*
- Redwood Community Health Coalition (18 Clinics)\*
- Russian River Health Center\*
- Russian River Dental Clinic\*
- SAC Health System\*
- Saban Community Clinic\*
- Sacramento Community Clinic\*
- San Fernando Teen Health Center\*
- San Ysidro Health Center\*
- Santa Rosa Community Health Centers (8 Clinics)\*
- Sebastopol Community Health Center\*
- Shasta Community Health Center\*
- Shasta Community Health Dental Center\*
- Shasta Lake Family Health and Dental Center\*
- Sierra Family Medical Clinic\*
- Sonoma County Indian Health Project, Inc.\*
- South Bay Family Health Care\*
- South Central Family Health Center (4 Clinics)\*
- Southside Coalition of Community Health Care Centers\*
- St. John's Well Child & Family Center (10 Clinics)\*
- Tarzana Treatment Centers, Inc.\*
- Van Nuys Adult Health Center\*
- WCHC Mental Health Services\*
- West County Health Centers\*
- Westside Family Health Center\*
- Willow Creek Community Health Center\*

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# KEEP A GOOD IDEA WORKING

## Health Systems

- Adventist Health
- Alameda Health System
- Avanti Hospitals\*
- Citrus Valley Health Partners
- College Health Enterprises\*
- Community Health Systems\*
- Community Medical Centers
- Community Memorial Health System
- Cottage Health System
- Daughters of Charity Health System\*
- Dignity Health
- Hospital Corporation of America (HCA)\*
- John Muir Health
- Kaiser Permanente Northern California Region
- Kaiser Permanente Southern California Region
- Keck Medicine of USC\*
- Kindred Healthcare\*
- NorthBay Healthcare
- PIH Health
- Palomar Health
- Physicians for Healthy Hospitals, Inc.\*
- Prime Healthcare Services\*
- Prime Healthcare Services Foundation\*
- Providence Health & Systems, Southern California
- Salinas Valley Memorial Healthcare System
- Scripps Health\*
- Sharp HealthCare
- Southwest Healthcare System\*
- St. Joseph Health
- Sutter Health
- Tenet Healthcare\*
- Universal Health Services\*

## Community Organizations

- A New PATH (Parents for Addiction Treatment & Healing)\*
- Age Well Senior Services\*
- Asian Pacific Islander American Public Affairs Association (APAPA)
- Asian Pacific Policy and Planning Council\*
- CORA – Community Overcoming Relationship Abuse\*
- California Senior Advocates League\*
- California Youth Connection\*
- Community Health Improvement Partners\*
- Congress of California Seniors\*\*
- Curry Senior Center\*
- Family Voices of California
- Health Education Council\*
- Helping Others Pursue Excellence (HOPE)\*
- Meals on Wheels and Senior Outreach Services\*
- National Association of Hispanic Elderly\*
- On Lok Senior Health Services\*
- Orange County LULAC Foundation\*
- Sacramento Steps Forward\*
- San Clemente Collaborative
- Solano Coalition for Better Health\*
- The Children’s Initiative
- The Wall-Las Memorias Project\*
- United Advocates for Children and Families\*
- Women’s Empowerment\*

## Labor Organizations

- State Building and Construction Trades Council of California\*
- California State Association of Electrical Workers\*
- Building and Construction Trades of Stanislaus, Merced, Tuolumne & Mariposa Counties\*
- Cement Masons, Local 500\*\*

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- District Council of Iron Workers of the State of California and Vicinity\*
- District Council 16 International Union of Painters and Allied Trades\*
- District Council 36 International Union of Painters and Allied Trades\*
- Fresno, Madera, Kings & Tulare Counties Building and Construction Trades Council\*
- Boilermakers Local 92\*
- IBEW Ninth District\*
- IBEW 6\*
- IBEW 11\*
- IBEW 18\*
- IBEW 40\*\*
- IBEW 45\*\*
- IBEW 47\*
- IBEW 100\*
- IBEW 180\*\*
- IBEW 234\*
- IBEW 302\*\*
- IBEW 332\*\*
- IBEW 340\*
- IBEW 413\*\*
- IBEW 428\*
- IBEW 440\*\*
- IBEW 441\*
- IBEW 465\*\*
- IBEW 477\*
- IBEW 551\*
- IBEW 569\*
- IBEW 595\*
- IBEW 617\*\*
- IBEW 639\*\*
- IBEW 684\*\*
- IBEW 952\*
- IBEW 1245\*
- IBEW 1710\*\*
- IBEW 2139\*\*
- IBEW 2295\*\*
- International Brotherhood of Boilermakers\*
- International Brotherhood of Boilermakers Local 1988\*
- Iron Workers 433\*
- Kern, Inyo and Mono Counties Building and Construction Trades Council\*
- Los Angeles/Orange County Building and Construction Trades Council\*
- Monterey/Santa Cruz County Building and Construction Trades Council\*
- Pipe Trades DC #36\*
- Plumbers, Pipe & Refrigeration Fitters United Association Local 246\*
- Plumbers & Pipefitters Local 447\*
- Plumbers & Steamfitters Local 582\*
- San Bernardino/Riverside BTC\*
- Sonoma, Mendocino & Lake Counties Building and Construction Trades Council\*
- Southern California Pipe Trades District 16\*
- Tri Counties Building and Construction Trades Council\*
- U.A. Local 78\*
- U.A. Local 114\*
- U.A. Local 159\*
- U.A. Local 230\*
- U.A. Local 250\*
- U.A. Local 345\*
- U.A. Local 364\*
- U.A. Local 398\*
- U.A. Local 403\*
- U.A. Local 460\*
- U.A. Local 484\*
- U.A. Local 582\*
- U.A. Local 709\*
- U.A. Local 761\*

## Medical + Dental Societies

- Berkeley Dental Society\*
- Central Coast Dental Society\*
- Fresno Madera Medical Society\*
- Hispanic Dental Association of San Diego - *Bi-national Chapter\**
- Los Angeles Dental Society\*
- Mid-Peninsula Dental Society\*
- Placer Nevada County Medical Society\*
- Riverside County Medical Association\*
- San Bernardino County Medical Society\*

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# KEEP A GOOD IDEA WORKING

- San Diego County Dental Society\*
- San Diego County Medical Society\*
- San Francisco Dental Society\*
- San Francisco Medical Society\*
- San Gabriel Valley Dental Society\*
- San Mateo County Dental Society\*
- San Mateo County Medical Society\*
- Santa Clara County Dental Society\*
- Santa Cruz County Medical Society\*
- Tri-County Dental Society\*
- Tulare County Medical Society\*
- Tuolumne County Medical Society\*
- Yuba Sutter Colusa Medical Society\*

## Local Government + Elected Officials

- California State Association of Counties (CSAC)\*
- Urban Counties of California\*
- Kern County\*\*
- Napa County\*
- Santa Cruz County\*
- Senate Republican Leader Jean Fuller
- Senator Joel Anderson
- Senator Patricia Bates
- Senator Tom Berryhill
- Senator Anthony Cannella
- Senator Ted Gaines
- Senator Isadore Hall
- Senator Bob Huff
- Senator John Moorlach
- Senator Mike Morrell
- Senator Jim Nielsen
- Senator Richard Pan
- Senator Sharon Runner
- Senator Jeff Stone
- Senator Andy Vidak
- Assembly Republican Leader Chad Mayes
- Assembly Member Katcho Achadjian
- Assembly Member Travis Allen
- Assembly Member Catharine Baker
- Assembly Member Frank Bigelow
- Assembly Member Susan Bonilla
- Assembly Member Rob Bonta
- Assembly Member Cheryl Brown
- Assembly Member Ling Ling Chang
- Assembly Member Rocky Chávez
- Assembly Member Jim Cooper
- Assembly Member Brian Dahle
- Assembly Member Tom Daly
- Assembly Member Beth Gaines
- Assembly Member James Gallagher
- Assembly Member Mike Gatto
- Assembly Member Mike Gipson
- Assembly Member Adam Gray
- Assembly Member Shannon Grove
- Assembly Member David Hadley
- Assembly Member Chris Holden
- Assembly Member Brian Jones
- Assembly Member Reginald Jones-Sawyer
- Assembly Member Young Kim
- Assembly Member Tom Lackey
- Assembly Member Eric Linder
- Assembly Member Brian Maienschein
- Assembly Member Devon Mathis
- Assembly Member Melissa Melendez
- Assembly Member Kristin Olsen
- Assembly Member Jim Patterson
- Assembly Member Marc Steinorth
- Assembly Member Don Wagner
- Assembly Member Marie Waldron
- Assembly Member Scott Wilk
- Assembly Member Jim Wood
- California Latino Elected Officials Coalition
- Mayor Kevin L. Faulconer, City of San Diego
- Mayor Kevin Johnson, City of Sacramento\*\*
- Walter Allen III, Council Member, City of Covina\*
- Jim B. Clarke, Council Member, Culver City\*
- Fiona Ma, Member, California State Board of Equalization\*

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# KEEP A GOOD IDEA WORKING

## Business Organizations

- California Business Roundtable
- California Chamber of Commerce
- California Asian Pacific Chamber of Commerce
- Alhambra Chamber of Commerce\*
- Arcadia Chamber of Commerce\*
- Azusa Chamber of Commerce\*
- Beaumont Chamber of Commerce\*
- Beverly Hills Chamber of Commerce\*
- BizFed – The Los Angeles County Business Federation\*
- Brea Chamber of Commerce
- Burbank Chamber of Commerce\*
- Central City Association of Los Angeles\*
- Cerritos Regional Chamber of Commerce\*
- Chamber of Commerce Mountain View\*
- The Chamber of the Santa Barbara Region\*
- Duarte Chamber of Commerce\*
- East Bay Leadership Council\*
- El Dorado County Joint Chambers of Commerce\*
- El Dorado County Chamber of Commerce\*
- El Dorado Hills Chamber of Commerce\*
- Elk Grove Chamber of Commerce\*
- Folsom Chamber of Commerce\*
- Fountain Valley Chamber of Commerce\*
- Fremont Chamber of Commerce\*
- Fresno Chamber of Commerce
- Fullerton Chamber of Commerce
- Gateway Chambers Alliance\*
- Greater Grass Valley Chamber of Commerce\*
- Greater Los Angeles African American Chamber of Commerce\*
- Greater Riverside Chamber of Commerce\*
- Greater San Fernando Valley Chamber of Commerce\*
- Greater Stockton Chamber of Commerce\*
- Hayward Chamber of Commerce\*
- Hollywood Chamber of Commerce\*
- Huntington Beach Chamber of Commerce\*
- Industry Manufacturers Council\*
- Inland Empire Economic Partnership
- La Canada Flintridge Chamber of Commerce\*
- Lake Elsinore Chamber of Commerce\*
- Lake Tahoe South Shore Chamber of Commerce\*
- Los Angeles Area Chamber of Commerce\*
- Menifee Valley Chamber of Commerce\*
- Modesto Chamber of Commerce\*
- Montebello Chamber of Commerce\*
- Monterey Peninsula Chamber of Commerce\*
- Mount Shasta Chamber of Commerce\*
- Murrieta Chamber of Commerce\*
- North Orange County Legislative Alliance
- North San Diego Business Chamber\*
- Northridge Chamber of Commerce\*
- Norwalk Chamber of Commerce\*
- Oceanside Chamber of Commerce\*
- Pasadena Chamber of Commerce\*
- Perris Valley Chamber of Commerce\*
- Rancho Cordova Chamber of Commerce\*
- Regional Chamber Alliance\*
- Rocklin Area Chamber of Commerce\*
- Roseville Chamber of Commerce\*
- Sacramento Metropolitan Chamber of Commerce\*
- San Diego East County Chamber of Commerce\*
- San Diego Regional Chamber of Commerce
- San Francisco Chamber of Commerce\*
- San Gabriel Valley Economic Partnership\*
- San Jose Silicon Valley Chamber of Commerce
- Santa Clara Chamber of Commerce and Convention-Visitor's Bureau\*
- Santa Clarita Valley Chamber of Commerce\*
- Santa Monica Chamber of Commerce\*
- Santa Paula Chamber of Commerce\*
- Shingle Springs Cameron Park Chamber of Commerce\*
- Silicon Valley Chamber Coalition\*
- Temecula Valley Chamber of Commerce\*
- Torrance Area Chamber of Commerce
- Tuolumne County Chamber of Commerce\*
- United Chambers of Commerce of the San Fernando Valley\*
- Valley Industry and Commerce Association\*

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\*New Endorsements (2015-2016)

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# KEEP A GOOD IDEA WORKING

- Victor Valley Chamber of Commerce\*
- Walnut Creek Chamber of Commerce & Visitors Bureau\*
- West Hollywood Chamber of Commerce\*
- Westside Council of Chambers of Commerce\*
- Whittier Area Chamber of Commerce\*
- Wildomar Chamber of Commerce\*
- Yorba Linda Chamber of Commerce\*

## Political Organizations

- California Republican Party\*
- Action Democrats of the San Fernando Valley\*
- Alameda County Democratic Party\*
- Burbank Democratic Club\*
- Democratic Alliance for Action\*
- Democratic Headquarters of the Desert\*
- Democratic Party of Contra Costa County\*
- Democratic Party of Orange County\*
- Democratic Party of the San Fernando Valley\*
- Democrats for Israel – Los Angeles\*
- Fresno County Democratic Party\*
- Helen L. Doherty Democratic Club\*
- Laguna Woods Democratic Club\*
- Los Angeles County Democratic Party\*
- New Frontier Democratic Club\*
- NorthEast Democrats Club\*
- Progressive Democrats of the Santa Monica Mountains\*
- Riverside County Democratic Party\*
- Sacramento County Democratic Party\*
- San Bernardino County Democratic Party\*
- San Diego County Democratic Party\*
- San Mateo County Democratic Party\*
- Santa Clara County Democratic Party\*
- Stonewall Democratic Club\*
- Torrance Democratic Club\*
- West End Democratic Club\*
- Yuba County Democratic Party\*

## Personal Endorsements - Title and/or organization name used for identification purposes only

- Mike Genest, Former Director, California Department of Finance\*\*
- Tom Scott, State Executive Director, National Federation of Independent Business (NFIB)\*
- Whitney Ayers, Regional Vice President, Hospital Association of Southern California\*
- Judy Baker, Board Member, Fairchild Medical Center\*
- Meyer Bendavid (Woodland Hills)\*
- John Comiskey (San Jose)\*
- Donna Cozzalio, Board Member, Fairchild Medical Center\*
- Arnold Daitch (Northridge)\*
- Louis DeRouchey, MD, Board Member, Fairchild Medical Center\*
- Josan Feathers, Retired Civil Engineer (La Mesa)\*
- Sheryl A. Garvey (Santee)\*
- Charles H. Harrison, Chief Executive Officer, San Bernardino Mountains Community Hospital District\*
- Carol Hayden, Board Member, Fairchild Medical Center\*
- Erin Jacobs, Ph.D., Assistant Professor, Mount Saint Mary's University\*
- Dwayne Jones, Secretary/Treasurer Board Vice-Chairman, Fairchild Medical Center\*
- Vicki Kirschenbaum (Burbank)\*
- Douglas Langford, DDS, Board Member, Fairchild Medical Center\*
- Carole Lutness (Valencia)\*
- Judy McEntire (Santee)\*
- Constance Menzies (Los Angeles)\*

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- Darrin Mercier, Board Vice-Chairman, Fairchild Medical Center\*
- Lawrence Mulloy, Chairman of the Board, Fairchild Medical Center\*
- Steven Neal, Civic Engagement Advocate, Molina Healthcare\*
- John P. Perez (Montebello)\*
- James Quisenberry, Board Member, Fairchild Medical Center\*
- Charlotte P. Reed (Lakeside)\*
- Sharon Rogers (Los Angeles)\*
- Diana Shaw (Santa Clarita)\*
- Nick Shestople, Retired Engineer (Temecula)\*
- Stephen David Simon, Director, Los Angeles City Department on Disability\*
- Vina Swenson, MD, Pediatrician, Fairchild Medical Center\*
- Shawn Terris, Financial Director, Palmer Drug and Alcohol Program\*
- Igor Tregub (Berkeley)\*
- Rebecca Unger (Joshua tree)\*
- Vivian Yoshioka (Pomona)\*

## **Political Endorsements - Title and/or organization name used for identification purposes only**

- John Burton, Chairman, California Democratic Party\*
- Jeffrey Adair, Chair, San Mateo County Democratic Party\*
- Jovan Ajee, Northern California Political Director, California Democratic Party - African American Caucus\*
- Kerri Asbury, Chair, Democratic Party of Sacramento\*
- Caro Avanesian, President, Glendale Democratic Club
- Bobbie Jean Anderson, Vice Chair, Los Angeles County Democratic Party\*
- Jamie Beutler, Chair, California Democratic Party - Rural Caucus\*
- Rachel Binah, Chair Emerita, California Democratic Party Environmental Caucus\*\*
- Bernice Bonillas, President, Kern County Chapter, California Alliance for Retired Americans\*
- Debra Broner, Region 10 Director, California Democratic Party\*
- Austina Cho, President, Hubert Humphrey Democratic Club\*
- Art Copelston, Treasurer/Controller, Democratic Headquarters of the Desert\*
- Hilary Crosby, Controller, California Democratic Party\*
- Stephan Early, President, NorthEast Democrats Club\*
- Kimberly Ellis, Recording Secretary, California Democratic Party - African American Caucus\*
- Michael Evans, Chair, Fresno County Democratic Party\*
- Carolyn Fowler, Corresponding Secretary, Los Angeles County Democratic Party\*
- Mark Gonzalez, Vice-Chair, Los Angeles County Democratic Party\*
- Jimmy Gow, President, Torrance Democratic Club\*
- Elvira Harris, Southern California Political Director, California Democratic Party - African American Caucus\*
- Wanda Harris, Recording Secretary, California Democratic Party Women's Caucus\*
- Bob Handy, Founder, California Democratic Party Veteran's Caucus\*
- Heather Hutt, Treasurer, California Democratic Party - African American Caucus\*
- Shanna Ingalsbee, President, Burbank Democratic Club\*
- Kristin Ingram-Worthman, Region 1 Vice Chair, Los Angeles County Democratic Party\*
- Judy Jacobs, Chair, California Democratic Party - Children's Caucus\*
- Howard Katz, Chairman, Riverside County Democratic Party\*

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# KEEP A GOOD IDEA WORKING

- Leslie Katz, Former San Francisco Supervisor and Former San Francisco Democratic Party Chair\*
- Doug Kessler, California Democratic Party, Region 8\*
- Jeannie Klever, California Democratic Party, Regional Director\*
- Jeff Koertzen, Chair, Democratic Party of Contra Costa\*
- Daraka Larimore-Hall, Secretary, California Democratic Party\*
- Clark Lee, Chair, Asian Pacific Islander Caucus, California Democratic Party\*
- Carole Levers, Chapter Leader, Progressive Democrats of America\*
- Elizabeth “Nikki” Linnerman, Co-Chair, California Democratic Party Legislation Committee\*
- Bonny Lundberg, Member, San Diego County Democratic Central Committee\*
- Molly A. Muro Assembly District 55, DSCC Representative\*
- Darren Parker, Chairman, California Democratic Party - African American Caucus\*
- Maria Patterson, Vice-Chair, San Joaquin County Democratic Party\*
- Thomas Patrick O’Shaughnessy, Chair, Irish American Caucus\*
- Christine Pelosi, Chair, California Democratic Party Women’s Caucus\*
- Denise Penn, Co-Chair, California Democratic Party – LGBT Caucus\*
- Mister Phillips, Regional Director, California Democratic Party - African American Caucus\*
- Robbin Proutt, Vice Chair, California Democratic Party - African American Caucus\*
- Alexandra Rooker – Vice Chair, California Democratic Party\*
- Cara Robin, President, West Los Angeles Democratic Club\*
- Mary Strobridge, California Democratic Party Executive Board Representative from Assembly District 35\*
- Patricia “Patti” Sulpizio, 38<sup>th</sup> Assembly District Delegation Chair, Los Angeles County Democratic Party\*
- Cheryl Tierce, President, Democratic Women of Kern\*
- Suzan Wilkinson, Region 19 Director, California Democratic Party\*
- Monica Wilson, Policy Chair, California Democratic Party Women’s Caucus\*
- Chris W. “Doz” Wood, Chairperson/Voter Registration, East County Democratic Club\*

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March 8, 2016

The Honorable Federal Glover  
The Honorable Karen Mitchoff  
Contra Costa County Board of Supervisors  
Legislation Committee  
County Administration Building  
651 Pine Street, Room 101  
Martinez, CA 94553

Dear Supervisors Glover and Mitchoff:

On behalf of our Contra Costa members, I am writing to express our support for the Medi-Cal Funding and Accountability Act, a 2016 statewide ballot initiative sponsored by hospitals to make an existing hospital fee program permanent and bring in needed federal funds for Medi-Cal.

As you know, nearly 13 million California children, seniors and working families rely on Medi-Cal for their health care needs. The need to preserve and protect funding for these vulnerable populations has never been greater.

Origins of the Medi-Cal Funding and Accountability Act go back to 2009 when hospitals voluntarily agreed to pay a fee that would be used to draw down Federal matching dollars. The initial solution came during the depths of the worst recession in California history when the state was not able to fulfill the requirement and set aside the resources to participate in the matching program.

In the fall of 2013, Governor Jerry Brown signed Senate Bill 239, which established an additional three-year Medi-Cal hospital fee program designed to continue unlocking billions of dollars in federal matching funds for supplemental Medi-Cal payments to hospitals.

The current law is due to expire at the end of 2016 and without a permanent solution, hospitals will lose the stability and funding certainty that has been critical to ensuring quality health care services to those Californians most in need.

Support for the Medi-Cal Funding and Accountability Act goes far beyond the hospital community and includes more than 800 statewide health care advocacy associations, community-based organizations, medical and dental groups, senior and children's organizations, and the business community. Additionally, the initiative enjoys support from the California Association of Counties and the Urban Counties of California.

We respectfully ask for your support of the Medi-Cal Funding & Accountability Act in order to preserve a consistent funding source for California's hospitals so they can focus on what they do best: provide top-quality health care services for millions of Californians.

Sincerely,



Rebecca Rozen  
Regional Vice President



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: April 12, 2016

Subject: Lay off Employees and Abolish and Restore Position in the EHSD/CSB Part-Day, Part-Year Programs

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2016/314 to: A) APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to temporarily close the part-day, part-year Head Start Center Based Pre-School Program, and the Home Based Program during the low enrollment summer period effective the close of business day May 13, 2016. B) ABOLISH project positions and lay off employees in the Employment and Human Services Department, Community Services Bureau as specified in Attachment A-1, effective the close of business day May 13, 2016. C) Re-establish positions as specified in Attachment A-2, effective August 22, 2016.

**FISCAL IMPACT:**

Upon approval there will be no fiscal impact. The fiscal year funding received anticipates the closure of the part-day, part-year Center Based and the Home Based Programs during the summer months. The closure of the part day, part year Head Start Center Based Pre-School Program and the Home Based Program is scheduled in the operation of the child care program and the savings from the closure are incorporated in the Employment and Human Services Department, Community Services Bureau's fiscal year budget.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

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

Contact: Reni Radeva (925) 681-6321;  
rradeva@ehsd.cccounty.us

By: , Deputy

cc: Reni Radeva

**BACKGROUND:**

The Head Start Center Based and the Home Based Programs operate on a nine-month schedule. Teacher-Project and Early Childhood Educator-Project positions, funded through the Administration for Children and Families grant, will be eliminated by the close of business day May 13, 2016 through August 21, 2016.

In order to keep expenditures within the available funding and keep staffing at the level necessary for efficient operations, it is necessary to abolish the positions described in Attachment A-1 on the date indicated. Positions required to support Center Based and Home Based programs for the 2016-2017 program year will be re-established August 22, 2016 as indicated on Attachment A-2.

**CONSEQUENCE OF NEGATIVE ACTION:**

Failure to close the part-day, part-year Center Based and Home Based programs during the summer months of 2016 will result in a fiscal deficit for the Employment and Human Services Department, Community Services Bureau.

**CHILDREN'S IMPACT STATEMENT:**

The five outcomes established by the Children's Report Card: (1) Children Ready for and Succeeding in School; (2) Children and Youth Healthy and Preparing for Productive Adulthood; (3) Families that are Economically Self Sufficient; (4) Families that are Safe, Stable and Nurturing; and (5) Communities that are Safe and Provide a Health Quality of Life for Children and Families are supported Employment and Human Services/Community Services Bureau part-day, part-year Head Start pre-school and home based programs support all the listed outcomes.

**ATTACHMENTS**

Attachment A-1 & A-2 - Positions to be Abolished and Reestablished

ATTACHMENT A-1

RESOLUTION NO.

CONTRA COSTA COUNTY  
POSITIONS TO BE ABOLISHED  
Effective: May 13<sup>th</sup>, 2016

---

DEPARTMENT: Employment and Human Services

<u>Pos #</u>	<u>Classification</u>	<u>Class Code</u>	<u>Org #</u>	<u>FT/PT</u>	<u>Vacant/Filled</u>
16130	Early Childhood Educator	9MW4	1419	FT	Filled
16131	Early Childhood Educator	9MW4	1419	FT	Filled
16132	Early Childhood Educator	9MW4	1419	FT	Filled
16133	Early Childhood Educator	9MW4	1419	FT	Filled
16134	Early Childhood Educator	9MW4	1419	FT	Filled
16135	Early Childhood Educator	9MW4	1419	FT	Filled
16136	Early Childhood Educator	9MW4	1419	FT	Filled
16142	Teacher	CJN1	1457	FT	Filled
16143	Teacher	CJN1	1457	FT	Filled
16140	Teacher	CJN1	1486	FT	Filled
16152	Teacher	CJN1	1486	FT	Filled
16138	Teacher	CJN1	1488	FT	Filled
15480	Teacher	CJN1	1488	FT	Filled
16139	Teacher	CJN1	1422	FT	Filled
16154	Teacher	CJN1	1422	FT	Filled
16147	Teacher	CJN1	1438	FT	Filled
16153	Teacher	CJN1	1484	FT	Filled
16151	Teacher	CJN1	1484	FT	Filled
13319	Teacher	CJN1	1438	FT	Filled
16141	Teacher	CJN1	1445	FT	Filled
16150	Teacher	CJN1	1427	FT	Filled
16149	Teacher	CJN1	1427	FT	Filled
16148	Teacher	CJN1	1427	FT	Filled
16144	Teacher	CJN1	1458	FT	Filled
16146	Teacher	CJN1	1458	FT	Filled
13318	Teacher	CJN1	1458	FT	Filled
14806	Master Teacher	CJT1	1458	FT	Filled
16155	Master Teacher	CJT1	1427	FT	Filled
16156	Master Teacher	CJT1	1445	FT	Filled

---

ATTACHMENT A-2

RESOLUTION NO.

CONTRA COSTA COUNTY  
POSITIONS TO BE ESTABLISHED  
Effective: August 22<sup>nd</sup>, 2016

---

DEPARTMENT: Employment and Human Services

<u>Pos #</u>	<u>Classification</u>	<u>Class Code</u>	<u>Org #</u>	<u>FT/PT</u>
	Early Childhood Educator	9MW4	1419	FT
	Early Childhood Educator	9MW4	1419	FT
	Early Childhood Educator	9MW4	1419	FT
	Early Childhood Educator	9MW4	1419	FT
	Early Childhood Educator	9MW4	1419	FT
	Early Childhood Educator	9MW4	1419	FT
	Early Childhood Educator	9MW4	1464	FT
	Teacher	CJN1	1457	FT
	Teacher	CJN1	1457	FT
	Teacher	CJN1	1486	FT
	Teacher	CJN1	1486	FT
	Teacher	CJN1	1488	FT
	Teacher	CJN1	1488	FT
	Teacher	CJN1	1422	FT
	Teacher	CJN1	1422	FT
	Teacher	CJN1	1438	FT
	Teacher	CJN1	1484	FT
	Teacher	CJN1	1484	FT
	Teacher	CJN1	1438	FT
	Teacher	CJN1	1445	FT
	Teacher	CJN1	1427	FT
	Teacher	CJN1	1427	FT
	Teacher	CJN1	1427	FT
	Teacher	CJN1	1458	FT
	Teacher	CJN1	1458	FT
	Teacher	CJN1	1458	FT
	Master Teacher	CJT1	1458	FT
	Master Teacher	CJT1	1427	FT
	Master Teacher	CJT1	1445	FT



Contra  
Costa  
County

To: Board of Supervisors  
From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE  
Date: April 12, 2016

Subject: Declare Intent to Become a Member of a Groundwater Sustainability Agency for the Portion of the Tracy Subbasin within Contra Costa County

---

**RECOMMENDATION(S):**

1. OPEN public hearing, RECEIVE testimony, and CLOSE public hearing.
2. DECLARE the County's intent to become a member of a Groundwater Sustainability Agency for the portion of the Tracy Subbasin within Contra Costa County and to sustainably manage groundwater resources within the County in compliance with the Sustainable Groundwater Management Act.

**FISCAL IMPACT:**

At this time, it is the intent of the parties participating in the development of the East County Groundwater Sustainability Agency to share costs equally among its members. The amount of cost to be shared, and the extent to which in-kind contribution of staff time may address cost-sharing responsibilities, is not known at this time but will be known before final action is taken to join the East County Groundwater Sustainability Agency.

**BACKGROUND:**

The Sustainable Groundwater Management Act of 2014 (SGMA) establishes a Statewide comprehensive groundwater management program with the goal of achieving sustainable groundwater basins over the next 20 years. It is the policy of the state that groundwater resources be managed sustainably for long-term reliability and multiple economic, social, and environmental benefits for current and future beneficial uses. Sustainable groundwater management is best achieved locally through the development, implementation, and updating of plans and programs based on the best available science (Section 113 Water Code).

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Ryan Hernandez (925)  
674-7824

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

By: , Deputy

cc:

## BACKGROUND: (CONT'D)

SGMA requires all high-priority and medium-priority groundwater basins, as designated by the California Department of Water Resources (DWR), be managed by a Groundwater Sustainability Agency (GSA). A local public agency, or combination of local public agencies overlying a designated basin, may become a GSA if the agency(ies) has(ve) water supply, water management, or land use responsibilities within a groundwater basin. A combination of local public agencies may form a GSA by way of Joint Exercise of Powers Agreement, a Memorandum of Understanding, or other legal document. SGMA provides that if no public agency becomes the GSA for a portion of the underlying basin, the County becomes the GSA by default unless it takes action to decline the responsibility in which case the State would regulate.

The SGMA sets deadlines for the formation of GSAs and the adoption of Groundwater Sustainability Plan (GSPs) which, if not met, will allow for State intervention. By June 2017, all high-priority or medium-priority groundwater basins are required to have a single GSA or multiple GSAs that cover the entire basin. All high-priority or medium-priority groundwater basins must adopt a single GSP or a coordinated set of GSPs by January 31, 2022.

There are portions of three medium-priority groundwater basins located in Contra Costa County, namely: the northern portion of the Eastbay Plain Subbasin (west county), the northern portion of the Livermore Valley Subbasin (south-central county), and the northwestern portion of the Tracy Subbasin (east county). Today's recommendation is only for participation in the Tracy Subbasin. Staff have also been working with other agencies on how to address SGMA requirements for these other basins and will report to the Board on these issues in the future.

The County has been collaborating with several local agencies that are located in the portion of the Tracy Subbasin that lies within Contra Costa County. The agencies are Byron-Bethany Irrigation District, Cities of Antioch and Brentwood, Contra Costa Water District, Diablo Water District, East Contra Costa Irrigation District and the Town of Discovery Bay. The aforementioned agencies, including the County, will cover Contra Costa County's portion of the Tracy Subbasin.

The Transportation, Water and Infrastructure Committee recommends the Board declare its intent for the County to become a member of the East County Groundwater Sustainability Agency for the portion of the Tracy Subbasin within Contra Costa County.

With the Board declaring intent, staff will continue to participate in the formation of this GSA with the named seven local agencies.

## CONSEQUENCE OF NEGATIVE ACTION:

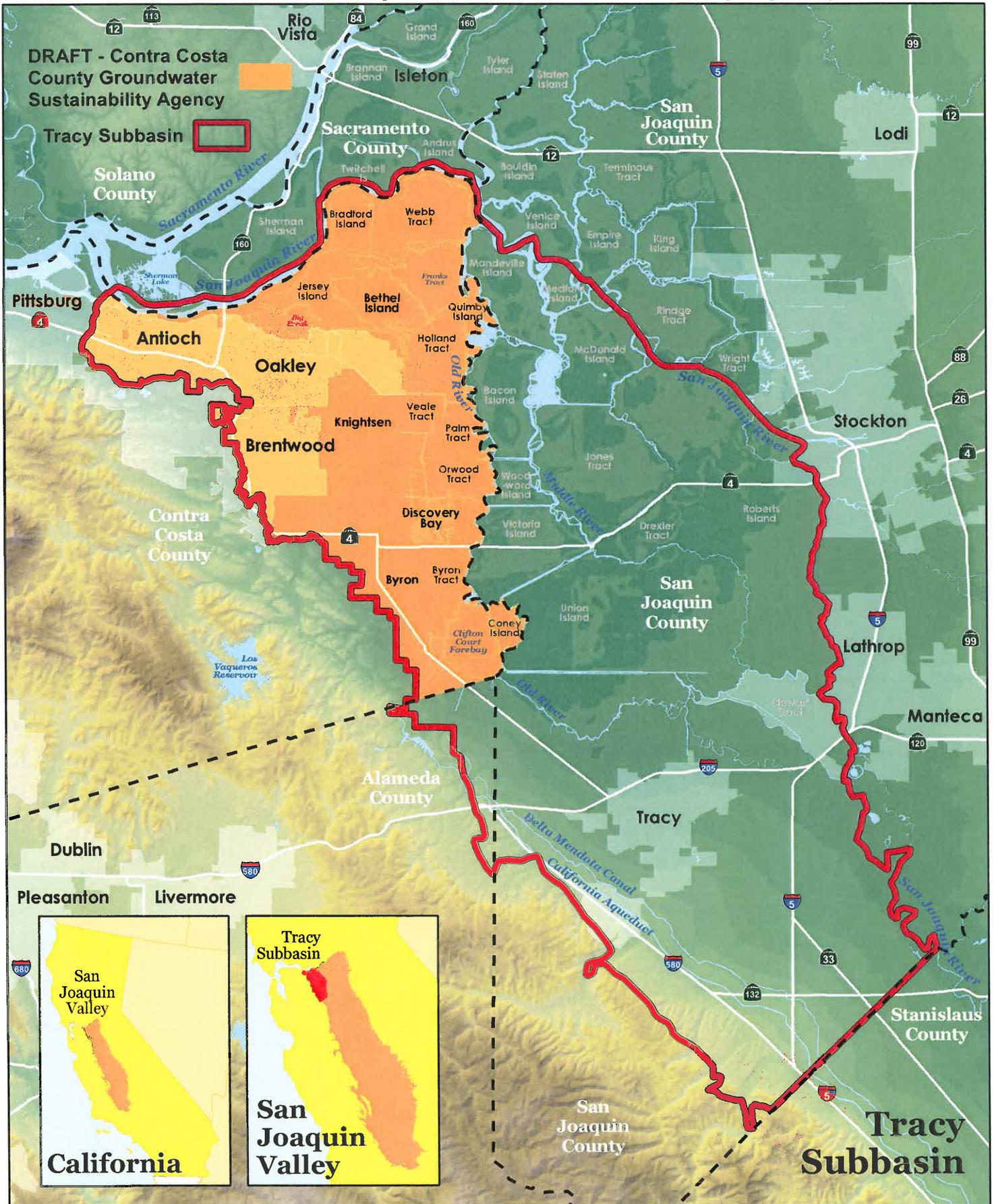
Not declaring the Board's intent for the County to become a member of the Groundwater Sustainability Agency will not allow the County to participate in the development of the Groundwater Sustainability Plan or in regulating and managing groundwater resources in the portion of the Tracy Subbasin within the County.

## ATTACHMENTS

CCC Portion of Tracy Subbasin

CCC GSA Governance Map

# DRAFT - Contra Costa County Groundwater Sustainability Agency Formation

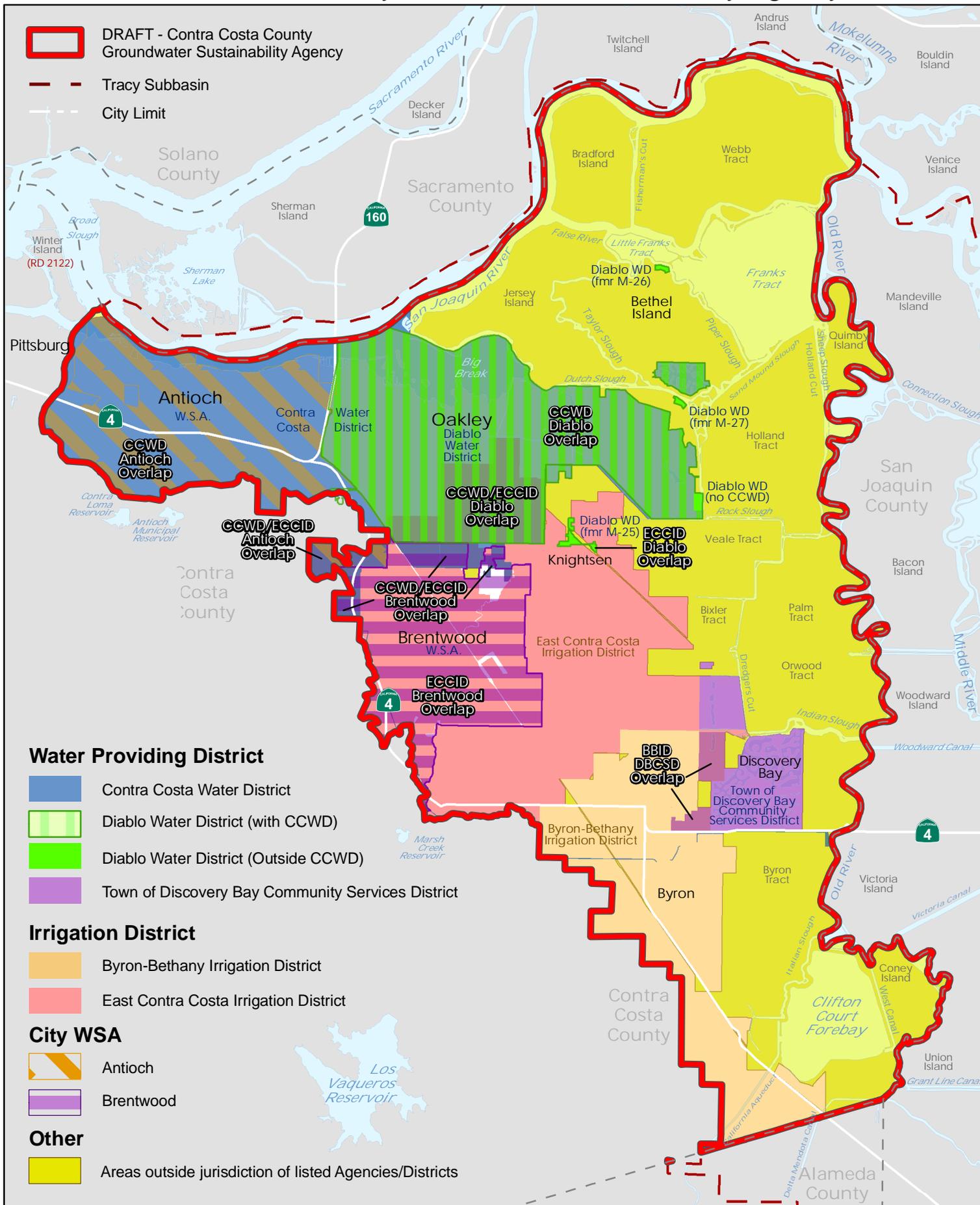


Map created 01/21/2015  
 by Contra Costa County Department of  
 Conservation and Development, GIS Group  
 30 Muir Road, Martinez, CA 94553  
 37:59:41.791N 122:07:03.756W

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# DRAFT - Contra Costa County Groundwater Sustainability Agency Formation



Map created 04/05/2016  
 by Contra Costa County Department of  
 Conservation and Development, GIS Group  
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Contra  
Costa  
County

To: Board of Supervisors  
From: PUBLIC PROTECTION COMMITTEE  
Date: April 12, 2016

Subject: REPORT ON REFERRAL OF LETTER FROM THE CONTRA COSTA COUNTY RACIAL JUSTICE  
COALITION

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**RECOMMENDATION(S):**

1. ACCEPT report from the Public Protection Committee on a letter received by the Board of Supervisors from the Contra Costa County Racial Justice Coalition and referred to the Committee for review on April 21, 2015 (Agenda Item No. C.76); and
2. APPROVE formation of the *ad hoc* Contra Costa County Disproportionate Minority Contact Task Force, including composition as outlined in Attachment H, to review and update the 2008 Disproportionate Minority Contact Report and integrate the findings into the scheduled update of the Countywide Reentry Strategic Plan, following review by the Public Protection Committee and Board of Supervisors; and
3. DIRECT the Public Protection Committee to initiate a recruitment process for the five community based organization seats outlined in Attachment H and return to the Board of Supervisors with recommendations for appointment to the Task Force; and
4. DIRECT the Public Protection Committee to continue monitoring the progress of staff participating in the Government Alliance on Racial Equity training cohort and report back to the Board of Supervisors with any recommendations following the conclusion of that process.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Timothy Ewell,  
925-335-1036

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

By: , Deputy

cc:

## FISCAL IMPACT:

No immediate fiscal impact. Contract facilitation services related to the work of the proposed DMC Task Force will be bid out concurrent with the planned, and funded, County Reentry Strategic Plan and AB 109 Operations Plan RFPs in Summer 2016.

## BACKGROUND:

Over the past year, the Public Protection Committee (PPC) held five public meetings on this issue. Below is an outline of events, commencing with receipt of a letter from the Contra Costa County Racial Justice Coalition (the "Coalition"):

On April 7, 2015, the Board of Supervisors (BOS) received a letter (Attachment F) from the Coalition requesting the review of certain topics within the local criminal justice system. The PPC generally hears all matters related to public safety within the County and was tasked with reviewing this referral by the BOS (Attachment G).

On July 6, 2015, the PPC initiated discussion regarding this referral and directed staff to research certain items identified in the Coalition's letter to the BOS and return to the PPC in September 2015. Specifically, this was with regard to current workplace diversity training for county employees and current data on race in the County criminal justice system.

On September 14, 2015, the PPC received a comprehensive report (Attachments A - D) from staff on current data related to race in the County criminal justice system, information regarding the County workplace diversity training and examples of diversity and implicit bias trainings from across the country.

At the November 9, 2015 meeting, the PPC received a brief presentation reintroducing the referral and providing an update on how a 2008 Disproportionate Minority Contact (DMC) report (Attachment E) compares with the statistical data presented at the September meeting. Following discussion, the PPC directed staff to return in December 2015, following discussions between the County Probation Officer, District Attorney and Public Defender, with thoughts about how to approach a new DMC study initiative in the County.

On December 14, 2015, the PPC received an update from the County Probation Officer, District Attorney and Public Defender on how best to proceed with an update to the 2008 DMC report; including, establishing a task force to review and update findings from the 2008 report. During the 2008 study, the concept of establishing a new task force was discussed; however, the task force was not formed at that time. The PPC directed the three departments above to provide a written project scope and proposed task force composition for final review.

On February 29, 2016, the PPC received written description of the proposed task force discussed at the December 2015 meeting from the County Probation Officer, District Attorney and Public Defender (Attachment H). The PPC accepted the proposed task force composition and clarified that the three school district seats should be represented by the West Contra Costa Unified School District, the Mount Diablo Unified School District and the Antioch Unified School District. The PPC directed staff to prepare a report for consideration by the full Board of Supervisors and schedule for early April 2016.

Below is an outline of attachments included in this staff report:

### **Attachment A – Contra Costa County Data on Race in Criminal Justice**

Summary of race data in criminal justice systems in Contra Costa County

- Contra Costa County population estimates
- Probation Department data on Pretrial, AB 109 adult and juvenile probation populations
- Superior Court data on criminal case filings and jury service

### **Attachment B - San Francisco Reinvestment Initiative: Racial and Ethnic Disparities Analysis**

Related article: <http://sfpublicdefender.org/news/2015/06/study-shocking-racial-disparities-in-sf-courts/>

## **Attachment C – Contra Costa County’s Workplace Diversity Training**

- Summary of eLearning vendor Target Solutions' Workplace Diversity training materials
- Risk Management memo on diversity training, including completion data by department
- Board policy on required sexual harassment and workplace diversity training

## **Attachment D – Other Diversity and Implicit Bias trainings and presentations:**

- Governing for Racial Equity (GRE) Conference presentation on Incorporating Race and Justice Principals into Criminal Justice System Policies.

The GRE Network is a regional consortium of government, philanthropy, higher education and the community partnering to achieve racial equity. The GRE Network brings together public sector employees from across the U.S. to end institutional and structural racism, strengthen regional alliances, and increase public will to achieve racial equity. The 2015 conference took place on June 11 & 12 in Seattle, Washington.

- EmTrain’s guide to the online training on Fostering a Diverse & Inclusive Workplace. EmTrain is San Mateo County’s online training vendor and is an approved provider of continuing education.
- King County participant’s guide to their workshop on Addressing Implicit Bias, Racial Anxiety, and Stereotype Threat.
- Government Alliance on Race and Equity (GARE) presentation on Equity in Government.

GARE Director Julie Nelson conducts trainings with elected officials, housing, police officers, commissioners and others that is focused on normalizing conversations about race (delineating the differences between implicit and explicit bias and individual, institutional and structural racism), organizing within institutions and with the community and operationalizing equity. GARE has launched a year-long learning cohort for jurisdictions in the Bay Area that are at the beginning phases of working on racial equity. Given the discussions that have been happening within the Public Protection Committee over the past year, departments have elected to send representatives to this training using department training budgets.

## **Attachment E – Disproportionate Minority Contact, Reducing Disparity in Contra Costa County. December 2008**

This is the original report completed following a three-year (2005-08) study period focusing on DMC issues in the local juvenile justice system. The PPC used this document as a reference to illustrate a process similar to the one that is being proposed in today's action.

## **Attachment F - Letter from Contra Costa County Racial Justice Coalition, April 2015**

## **Attachment G - Contra Costa County Racial Justice Coalition Referral to Public Protection Committee**

## **Attachment H - Proposed Composition for the DMC Task Force, as recommended by the District Attorney, Public Defender and County Probation Officer, and approved by the PPC for consideration by the Board of Supervisors**

### CONSEQUENCE OF NEGATIVE ACTION:

The Board will not have accepted the report from the Committee. Also, the proposed DMC Task Force will not be formed, requiring the Board to determine alternative next steps related to this referral.

### CHILDREN'S IMPACT STATEMENT:

No immediate impact.

### ATTACHMENTS

PowerPoint Presentation

Attachment A: Contra Costa County Data on Race in the Criminal Justice System

Attachment B: San Francisco Reinvestment Initiative: Racial and Ethnic Disparities Analysis

Attachment C: Contra Costa County's Workplace Diversity Training

Attachment D: Other Diversity and Implicit Bias Trainings and Presentations

Attachment E: Disproportionate Minority Contact, Reducing Disparity in Contra Costa County.  
December 2008

Attachment F: Letter from Contra Costa County Racial Justice Coalition, April 2015

Attachment G: Contra Costa County Racial Justice Coalition Referral to Public Protection  
Committee

Attachment H: Proposed Composition of Disproportionate Minority Contact Task Force, as  
recommended by DA, PD and Probation



Contra Costa County Racial Justice Coalition  
Public Protection Committee Referral

Report to the Board of Supervisors

April 12, 2016



# History

- ▶ April 7, 2015: The Board of Supervisors received a letter from the Contra Costa County Racial Justice Coalition.
- ▶ April 21, 2015: The Board of Supervisors referred the letter to the Public Protection Committee for review.
- ▶ July 2015–February 2016: The Committee held five public meetings on this issue and received testimony from staff and public stakeholders.



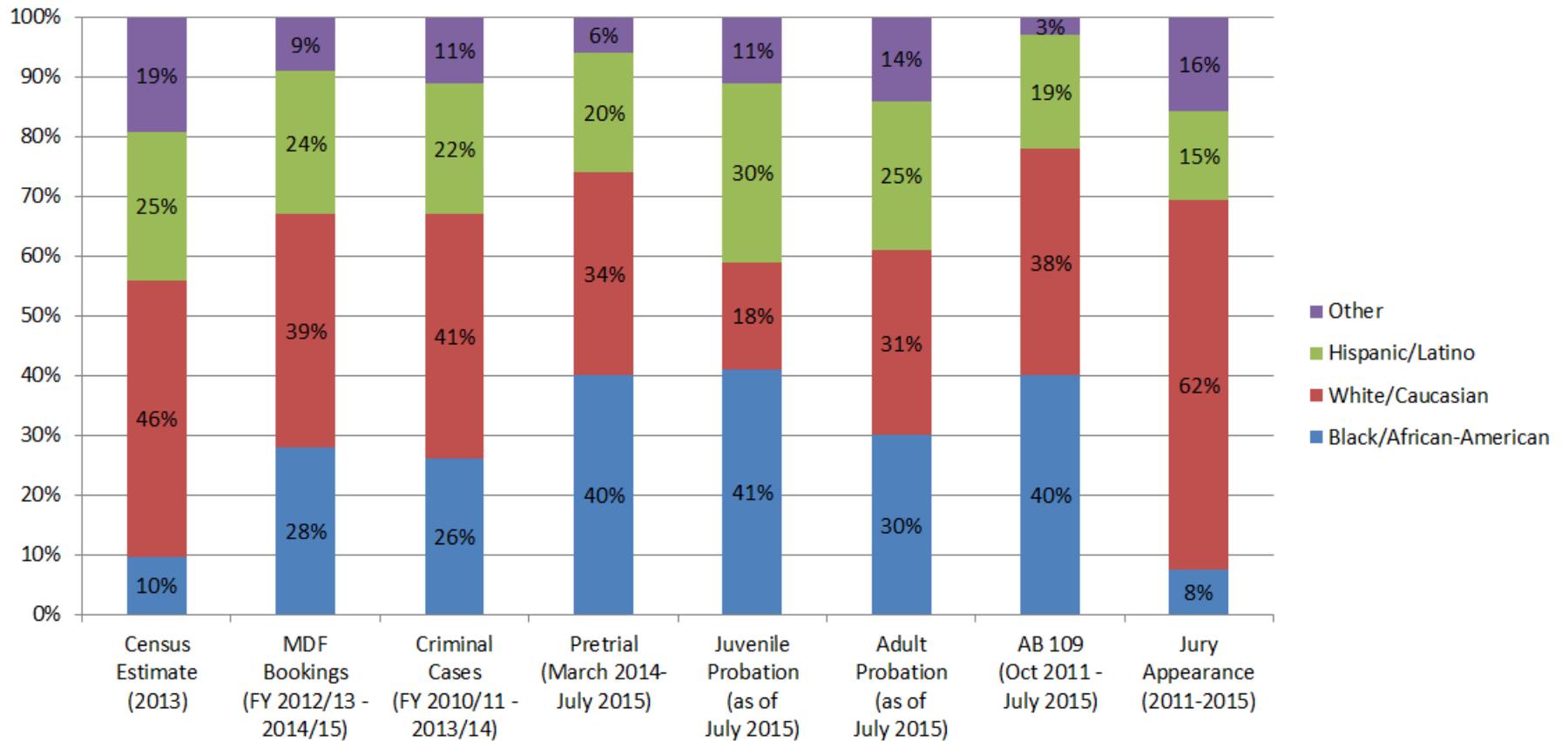
# Scope of Work

The Committee focused on two specific areas identified within the Coalition's letter:

- Statistical Data on Race within County Criminal Justice System:
  - Booking
  - Prosecution
  - Pre-trial
  - Probation (Adult & Juvenile)
  - AB109
  - Jury Composition
- Employee Training:
  - Implicit Bias
  - Workplace Diversity



# Current Statistical Data



Sources: U.S. Census, Sheriff's Office, Probation Department, Contra Costa Superior Court



# 2008 DMC Report Data

- Identifies juvenile Disproportionate Minority Contact (DMC)\* trends in selected communities within the County in 2005, including:
  - Richmond area (West County)
  - Monument Corridor (Central County)
  - Bay Point (East County)
  
- Makes short and long term recommendations for addressing DMC issues identified.

\*Disproportionate Minority Contact is a term of art originated by the U.S. Department of Justice in the 1970s during an effort to better understand over-representation of minority youth in the justice system



# 2005-08 DMC Workgroup Composition

Ms. Bianca Bloom, Contra Costa County Office of Education  
Chief Lionel Chatman, Probation Department  
Mr. David Coleman, Public Defender  
Ms. Valerie Early, Employment and Human Services Department  
Mr. John Gioia, Board of Supervisors  
Mr. Federal Glover, Board of Supervisors  
Hon. Lois Haight, Presiding Juvenile Court Judge  
Mr. Robert Kochly, District Attorney, Chairperson of Decision Makers Workgroup  
Chief David Livingston, Concord Police Department  
Chief Chris Magnus, Richmond Police Department  
Dr. William Walker, Contra Costa Health Services  
Mr. Timothy Ewell, County Administrator's Office



## DMC Trends – Richmond (2005)

Race/Ethnicity	Arrests	Referrals to Probation
African American	2.8	2.6
Latino	1.0	1.1
White	1.0	1.0
Asian	0.2	0.3
Pacific Islander	--	--
American Indian	--	--
Unknown/Other	1.1	0.6

Source: Morris M.S., Monique. Disproportionate Minority Contact: Reducing Disparity in Contra Costa County. 2008.



## DMC Trends – Monument (2005)

Race/Ethnicity	Arrests	Referrals to Probation
African American	3.8	5.2
Latino	1.1	2.0
White	1.0	1.0
Asian	0.2	0.1
Pacific Islander	1.4	0.0
American Indian	0.0	0.0
Unknown/Other	1.3	0.2

Source: Morris M.S., Monique. Disproportionate Minority Contact: Reducing Disparity in Contra Costa County. 2008.



## DMC Trends – Bay Point (2005)

Race/Ethnicity	Arrests	Referrals to Probation
African American	5.7	2.7
Latino	1.7	1.2
White	1.0	1.0
Asian	0	0.1
Pacific Islander	0	3.8
American Indian	0	0
Unknown/Other	2.5	0.3

Source: Morris M.S., Monique. Disproportionate Minority Contact: Reducing Disparity in Contra Costa County. 2008.



# Observations

- Two data sets reporting different information with similar findings.
- DMC Report is neutral on causation and focuses on what local justice system can do once a juvenile enters the system.
- DMC Report provides a work-plan that could be re-considered by key stakeholders in the future.



# Training

- County policy requires Workplace Diversity Training for all new County employees
  - Training provided by Risk Management
  - Department Heads responsible for tracking
- Public Safety personnel receive state mandated racial bias training via:
  - Peace Officer Standards and Training (POST)
  - Standards for Training and Corrections (STC)
- Workplace Diversity training is not Racial Bias training and vice-versa



# Key Findings

- Disproportionate Minority Contact does exist in the local criminal justice system, but...
  - Jurisdictions across the country are dealing with the same issues and have been for decades
  - Several socio-economic factors contribute to this disparity
- Most Public Safety classifications in the County do receive Implicit Bias training
  - Current County training does not include an implicit bias component
  - The vast majority of law enforcement classifications in the County do receive Implicit Bias training mandated by the State
  - Some departments offer a department level training on Implicit Bias (e.g. District Attorney partners with the Goldman School)



# Recommendations

- ACCEPT today's report from the Public Protection Committee on the work completed to date related to the Racial Justice Coalition referral.
- APPROVE formation of a 15 member ad hoc DMC Task Force to review and update the 2008 DMC Report, for review and consideration by the PPC and BOS...
  - Chief Probation Officer
  - Public Defender
  - District Attorney
  - Sheriff-Coroner
  - Health Services Director
  - Superior Court representative
  - CCC Police Chiefs Association representative
  - (3) Representatives from Local School Districts (WCCUSD, MDUSD, AUSD)
  - (5) community based organization representatives



# Recommendations

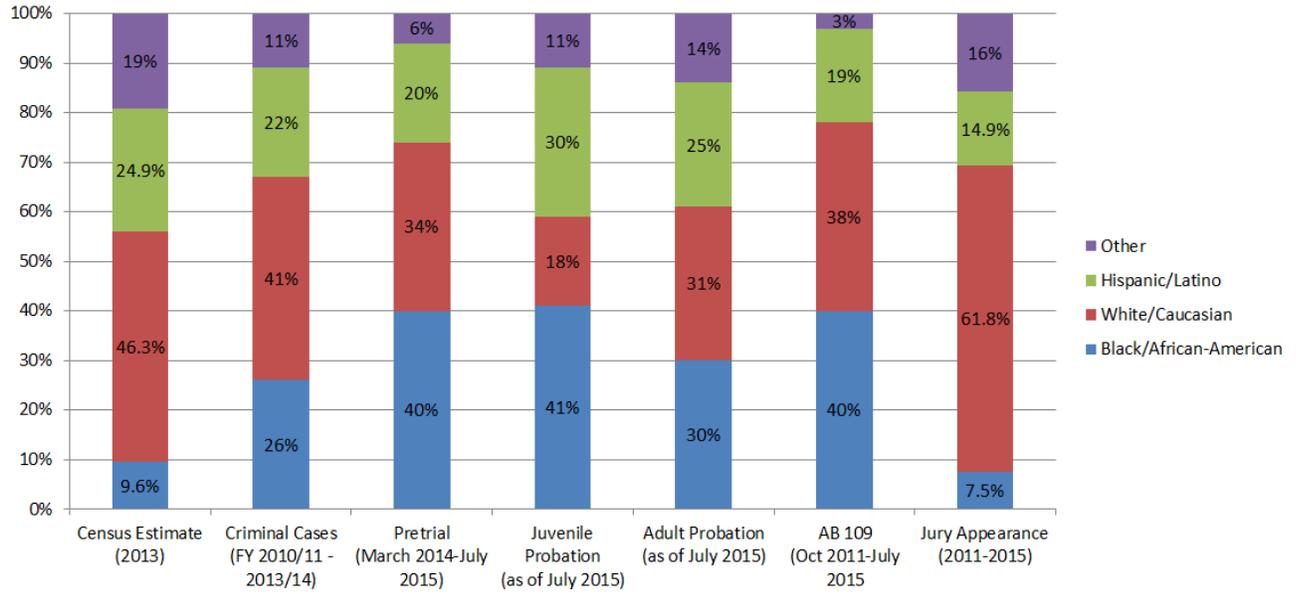
- DIRECT the PPC to:
  - Initiate a recruitment process for the five community member seats on the DMC Task Force and return to the BOS with appointment recommendations.
  - Continue monitoring progress of staff participating in the Government Alliance on Racial Equity training cohort and report back to the BOS with any recommendations following conclusion of that process.



# Questions / Discussion

## Summary of Race Data in Criminal Justice Systems in Contra Costa County

Sources: Census, Probation Department, Contra Costa Superior Court



## Contra Costa County Population

Source: US Census Bureau State & County QuickFacts

People QuickFacts	Contra Costa County	California
Population, 2014 estimate	1,111,339	38,802,500
Population, 2013 estimate	1,095,980	38,431,393
Population, 2010 (April 1) estimates base	1,049,197	37,254,503
Population, percent change - April 1, 2010 to July 1, 2014	5.9%	4.2%
Population, percent change - April 1, 2010 to July 1, 2013	4.5%	3.2%
Population, 2010	1,049,025	37,253,956
Persons under 5 years, percent, 2013	5.9%	6.5%
Persons under 18 years, percent, 2013	23.8%	23.9%
Persons 65 years and over, percent, 2013	13.8%	12.5%
Female persons, percent, 2013	51.2%	50.3%

White alone, percent, 2013 (a)	67.9%	73.5%
Black or African American alone, percent, 2013 (a)	9.6%	6.6%
American Indian and Alaska Native alone, percent, 2013 (a)	1.0%	1.7%
Asian alone, percent, 2013 (a)	15.9%	14.1%
Native Hawaiian and Other Pacific Islander alone, percent, 2013 (a)	0.6%	0.5%
Two or More Races, percent, 2013	5.0%	3.7%
Hispanic or Latino, percent, 2013 (b)	24.9%	38.4%
White alone, not Hispanic or Latino, percent, 2013	46.3%	39.0%

(a) Includes persons reporting only one race.

(b) Hispanics may be of any race, so also are included in applicable race categories.

## Criminal Cases

Source: Court criminal case management system.

Data retrieved from District Attorney files.

Time Frame: Fiscal years 2010/11-2013/14

Gender	Fiscal Year			
	2010/2011	2011/2012	2012/2013	2013/2014
Not Specified	131	313	289	590
Female	3506 24%	3011 23%	2990 23%	4069 24%
Male	10938 75%	9843 75%	9890 75%	12520 73%
<b>Total</b>	<b>14575</b>	<b>13167</b>	<b>13169</b>	<b>17179</b>

Race	Fiscal Year				
	2010/2011	2011/2012	2012/2013	2013/2014	
Not Specified	214	578	470	765	
A OTHER ASIAN	213	216	200	281	
B BLACK	3669 25%	3376 26%	3594 27%	4274 25%	26%
C CHINESE	7	9	9	22	
D CAMBODIAN				1	
F FILIPINO	50	42	36	65	
G GUAMANIAN	2	2		5	
H LATIN AMERICAN/HISPANIC	3558 24%	2883 22%	2868 22%	3727 22%	22%
I AMERICAN INDIAN	12	11	17	15	
J JAPANESE	5	3	1	3	
K KOREAN	6	6	3	2	
L LAOTIAN	6			2	
M SPANISH OR MEXICAN AMERICAN					
O OTHER	635	644	608	830	
P PACIFIC ISLANDER	23	26	15	25	
S SAMOAN	3	6	5	4	
U HAWAIIAN	21	4	5	11	
V VIETNAMESE	11	3	4	5	
W CAUCASIAN	6099 42%	5252 40%	5282 40%	7070 41%	41%
X UNKNOWN	33	84	38	64	
Z ASIAN INDIAN	8	23	13	8	
<b>Total</b>	<b>14575</b>	<b>13168</b>	<b>13168</b>	<b>17179</b>	

## Pretrial

Source: Probation Department CMS. Upon completion of interview with clients,  
probation officer enters data retrieved from California Law Enforcement  
Telecommunications System (CLETS) and from Public Defender's Office worksheet;  
Time Frame: March 2014-July 2015

Pretrial - Total			Granted Supervision			Currently being supervised		
Black/African-American	555	40%	Black/African-American	189	44%	Black/African-American	93	47%
White	473	34%	White	130	31%	White	58	29%
Hispanic/Latino	286	20%	Hispanic/Latino	81	19%	Hispanic/Latino	40	20%
Asian	24		Asian	8		Asian	4	
Other	21		Other	8		Other	2	
Unknown	20		Unknown			Unknown		
Native Hawaiian/Other Pacific Islander	17		Native Hawaiian/Other Pacific Islander	8		Native Hawaiian/Other Pacific Islander	3	
American Indian/Alaskan Native	6		American Indian/Alaskan Native	1		American Indian/Alaskan Native		
<b>Total</b>	<b>1402</b>		<b>Total</b>	<b>425</b>		<b>Total</b>	<b>200</b>	

Completed Successfully			Unsuccessful		
Black/African-American	76	44%	Black/African-American	29	33%
White	54	31%	White	32	36%
Hispanic/Latino	29	17%	Hispanic/Latino	23	26%
Asian	4		Asian		
Other	5		Other	2	
Native Hawaiian/Other Pacific Islander	4		Native Hawaiian/Other Pacific Islander	2	
American Indian/Alaskan Native			American Indian/Alaskan Native	1	
<b>Total</b>	<b>172</b>		<b>Total</b>	<b>89</b>	

## Adult and Juvenile Probation

Source: Probation Department CMS. Clerk enters data  
retrieved from the Court or CLETS.

Time Frame: All current Adult and Juvenile Probation, as of July 2015

Juvenile Probation			Adult Probation		
Black	1008	41%	Black	1060	30%
Hispanic	743	30%	Hispanic	877	25%
White	437	18%	White	1112	31%
Unknown	147		Unknown	277	
Other Non-Asian	42		Other Non-Asian	67	
Asian Indian	24		Asian Indian	21	
Filipino	16		Filipino	30	
Pacific Islander	11		Pacific Islander	4	
Laotian	8		Laotian	1	
Indian (American)	6		Indian (American)	3	
Other Asians	5		Other Asians		
Hawaiian	3		Hawaiian	79	
Samoan	3		Samoan	3	
Guamanian	1		Guamanian	1	
Chinese	1		Chinese	3	
Cambodian	1		Cambodian		
Vietnamese	1		Vietnamese	2	
Japanese	1		Japanese		
Korean			Korean	1	
<b>Total</b>	<b>2458</b>		<b>Total</b>	<b>3541</b>	

## AB 109 Population

Source: Probation Department CMS. Clerk enters data retrieved from the Court or from California Department of Corrections and Rehabilitation (CDCR).

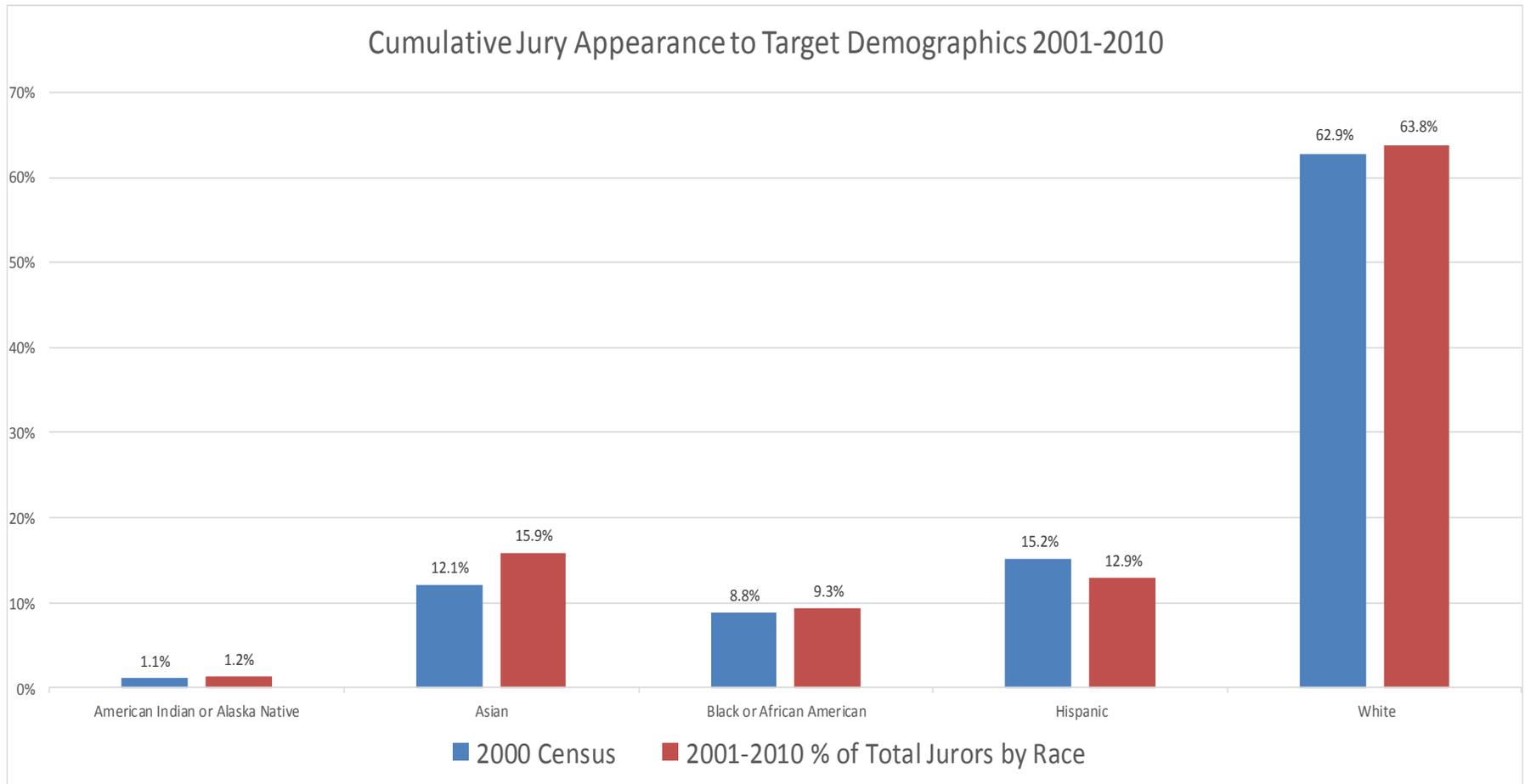
Time Frame: October 2011-July 2015

<b>AB 109</b>		
Black	786	40%
White	758	38%
Hispanic	384	19%
Unknown	19	
Filipino	15	
Asian	10	
Samoan	3	
Pacific Islander	3	
Vietnamese	3	
Chinese	2	
Other	2	
Am Indian	1	
Japanese	1	
Laotian	1	
<b>Total</b>	<b>1988</b>	

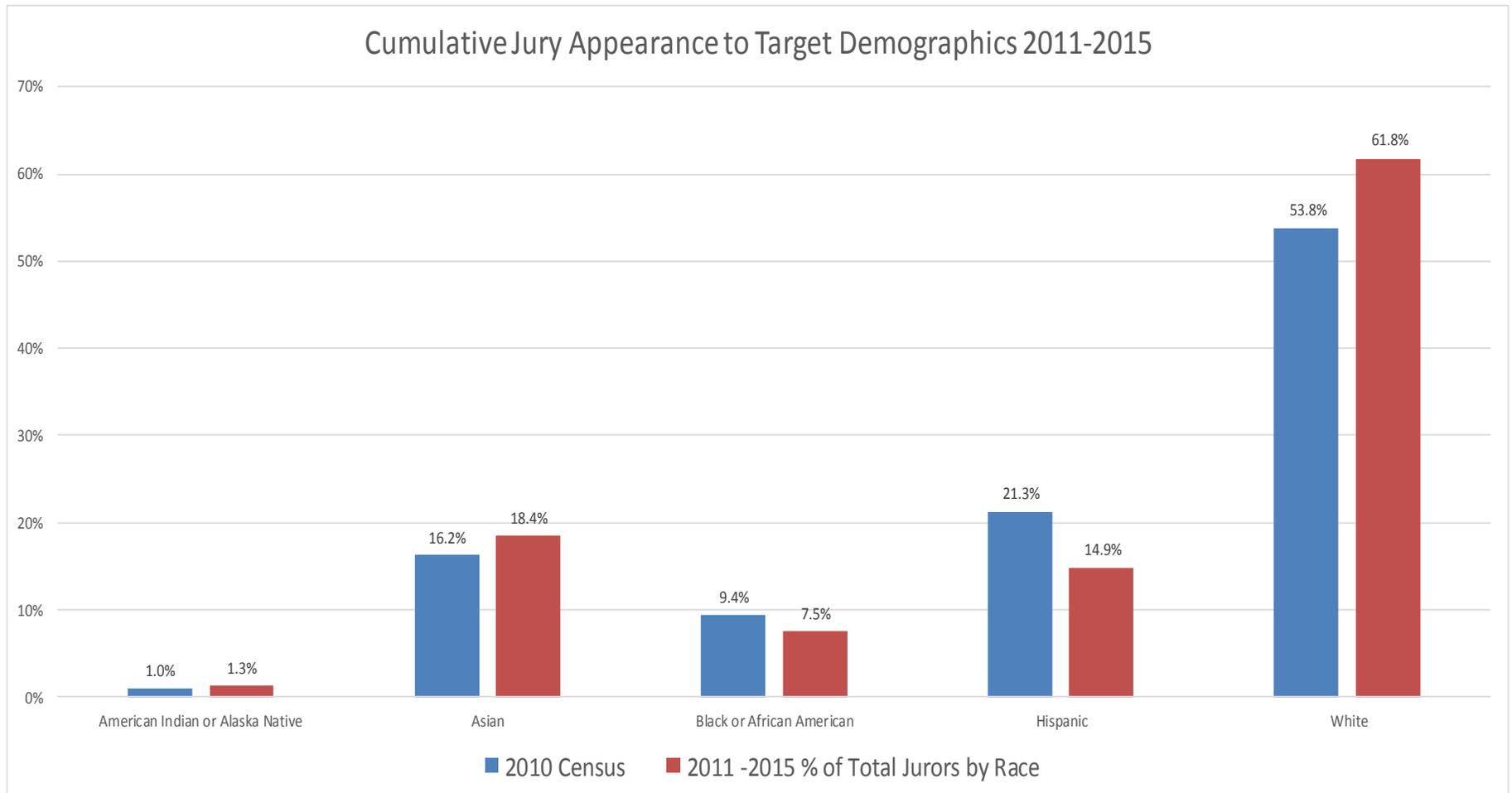
## Probation Department Employees

Source: Human Resources

<b>Probation Employees</b>	
Caucasian	44%
African-American	31%
Hispanic	8%



- Racial data is self-reported by jurors based on questionnaires distributed at the time they report for service at each court location
- 2001-2010 % of Total Jurors by Race represents cumulative responses for the 10 year period between 2001-2010
- Multi-racial responses are recorded as one (1) full person in each race
- 2000 baseline census numbers for jury demographic study have been filtered to exclude; persons under 18, and Non-U.S. Citizens



- Racial data is self-reported by jurors based on questionnaires distributed at the time they report for service at each court location
- 2011-2015 % of Total Jurors by Race represents cumulative responses for the 4.5 year period between 2011-2015
- Multi-racial responses are recorded as one (1) full person in each race
- 2010 baseline census numbers for jury demographic study have been filtered to exclude; persons under 18, and Non-U.S. Citizens

## Summary

**Note:** These data can provide a good overview of demographic trends for those who report for jury service, but data for individuals who identify as either Hispanic or multi-racial may not be precisely accurate for any of three reasons:

1. Individuals who identify as Hispanic (an ethnicity, but reported here as if it were a racial category) may have selected any one of the racial categories listed on the form, or none of these categories, or “other”
2. Individuals who identified their racial category as “other” are not included in these data
3. Individuals who self-identify as multi-racial can indicate their racial identification by checking “multi-racial”, “other”, two or more of the other racial categories provided on the survey, or check the boxes for any combination of these categories



THE W. HAYWOOD

**BURNS INSTITUTE** FOR JUVENILE JUSTICE FAIRNESS & EQUITY

Attachment B



**SAN FRANCISCO JUSTICE REINVESTMENT INITIATIVE:  
RACIAL AND ETHNIC DISPARITIES ANALYSIS FOR THE REENTRY COUNCIL**

**SUMMARY OF KEY FINDINGS**

## SUMMARY OF KEY FINDINGS



The W. Haywood Burns Institute (BI) is a national non-profit organization that has worked successfully with local jurisdictions to reduce racial and ethnic disparities in the justice system by leading traditional and non-traditional stakeholders through a data-driven, consensus based process. BI was engaged by the Reentry Council of The City and County of San Francisco to conduct a decision point analysis to learn whether and to what extent racial and ethnic disparities exist at key criminal justice decision making points in San Francisco. The analysis was limited due to data limitations. For additional information regarding the key findings listed in this summary, please see the full report.

### DEMOGRAPHIC SHIFTS IN SAN FRANCISCO

- Data indicate that San Francisco's demographic make-up is changing. Between 1994 and 2013, the number of Black adults decreased by 21 percent. At the same time, the number of Latino adults increased by 31 percent.

### DISPROPORTIONALITY AT EVERY STAGE

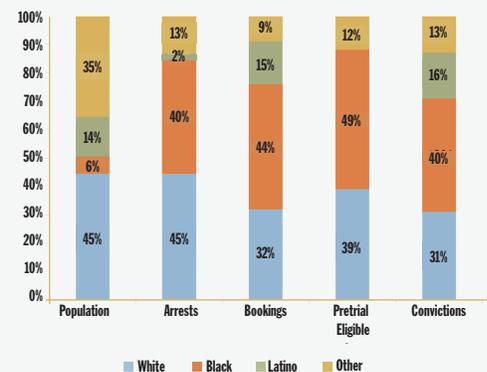
- In 2013, there were a disproportionate number of Black adults represented at every stage of the criminal justice process. While Black adults represent only 6% of the adult population, they represent 40% of people arrested, 44% of people booked in County Jail, and 40% of people convicted.
- When looking at the relative likelihood of system involvement- as opposed to the proportion of Black adults at key decision points – disparities for Black adults remain stark. Black adults are 7.1 times as likely as White adults to be arrested, 11 times as likely to be booked into County Jail, and 10.3 times as likely to be convicted of a crime in San Francisco.

### FINDINGS REGARDING DATA CAPACITY

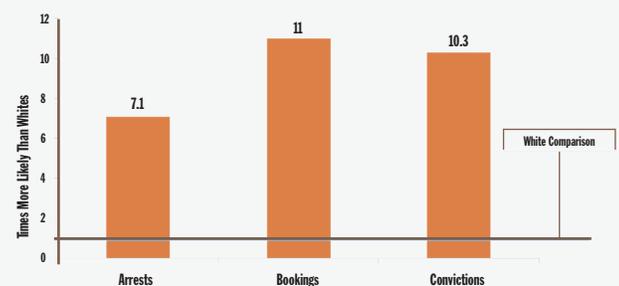
- Data required to answer several key questions regarding racial and ethnic disparities were unavailable. As stakeholders move forward to more fully understand the disparities highlighted in the report, they will need to build capacity for a more comprehensive and system-wide approach to reporting data on racial and ethnic disparities.
- Lack of "ethnicity" data impeded a full analysis of the problem of disparities. Justice system stakeholders must improve their capacity to collect and record data on ethnicity of justice system clients. Lack of data regarding Latino adults' involvement is problematic for obvious reasons – if we do not understand the extent of the problem, we cannot craft the appropriate policy solutions. Additionally, when population data disregard ethnicity, and only focus on race, the vast majority of these "Hispanics" are counted as White. The result is a likely inflated rate of system involvement for White adults<sup>1</sup>, and an underestimation of the disparity gap between White and Black adults.

<sup>1</sup> Nationally, when population data disregard ethnicity, and only focus on race, the vast majority of these "Hispanics" (89%) would be identified as "White." Puzanchera, C., Sladky, A. and Kang, W. (2014). "Easy Access to Juvenile Populations: 1990-2013." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezapop/>

2013 DATA: SAN FRANCISCO

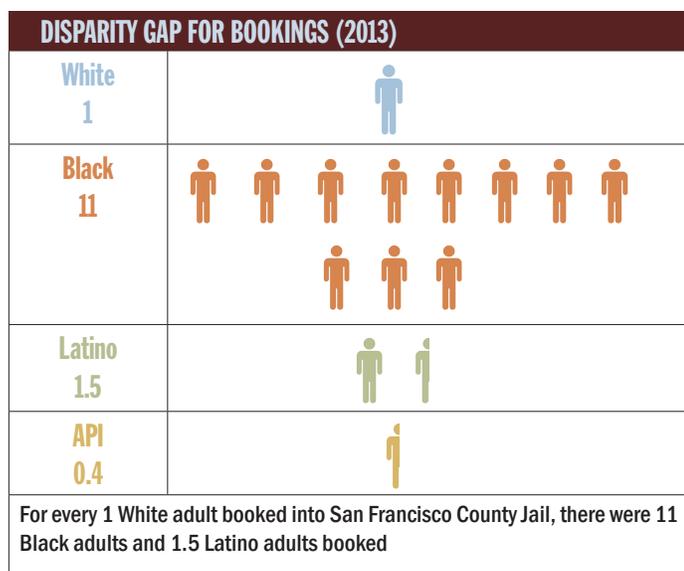
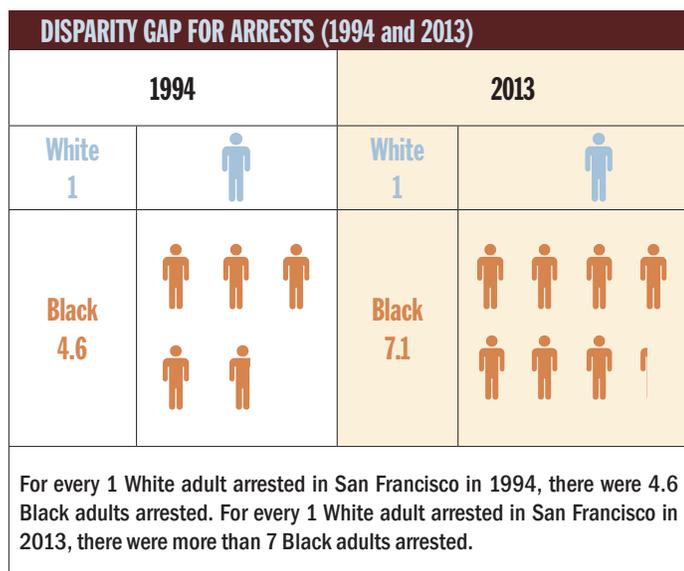


2013: DISPARITY GAP FOR BLACK ADULTS AT KEY DECISION POINTS



## ARRESTS

- In 2013, Black Adults in San Francisco were more than seven times as likely as White adults to be arrested.
- Despite a significant overall reduction in arrest rates in San Francisco, the disparity gap – the relative rate of arrest for Black adults compared to White adults - is increasing.
- Whereas the disparity gap in arrests statewide is decreasing, the disparity gap in San Francisco is increasing.
- Rates of arrest are higher for Black adults than White adults for every offense category.
- Despite reductions in rates of arrest for drug offenses, the Black/White disparity gap increased for every drug offense category.



## BOOKINGS TO JAIL (PRETRIAL)

- Black adults in San Francisco are 11 times as likely as White adults to be booked into County Jail. This disparity is true for both Black men (11.4 times as likely) and Black Women (10.9 times as likely).
- Latino adults are 1.5 times as likely to be booked as White adults.
- Booking rates for Black and Latino adults have increased over the past three years while booking rates for White adults have decreased.
- The top three residence zip codes of Black adults booked into County Jail were: 94102 (includes the Tenderloin), 94124 (Bayview-Hunters Point), and 94103 (South of Market).
- The top three residence zip codes for Latino adults booked into County Jail were: 94110 (Inner Mission/Bernal Heights), 94102 (includes the Tenderloin), and 94112 (Ingelside-Excelsior/Crocker-Amazon).
- A vast majority (83 percent) of individuals booked into jail in San Francisco had residence zip codes within the County. Overall, only 17 percent of individuals booked into jail had residence zip codes outside of San Francisco.<sup>2</sup>

## PRETRIAL RELEASE

- Booked Black adults are more likely than booked White adults to meet the criteria for pretrial release.<sup>3</sup>
- Black adults are less likely to be released at all process steps: Black adults are less likely to receive an “other” release (i.e., cited, bailed, and dismissed); less likely than White adults to be released by the duty commissioner; and less likely to be granted pretrial release at arraignment.
- Rates of pretrial releases at arraignment are higher for White adults for almost every quarter.
- Out of all adults who meet the criteria for pretrial release (the entirety of the SFPDP database):
  - 39 percent of Black adults had prior felony(ies) compared to 26 percent of White adults, however, White adults with a prior felony were almost always more likely to be released at arraignment than Black adults with a prior felony;

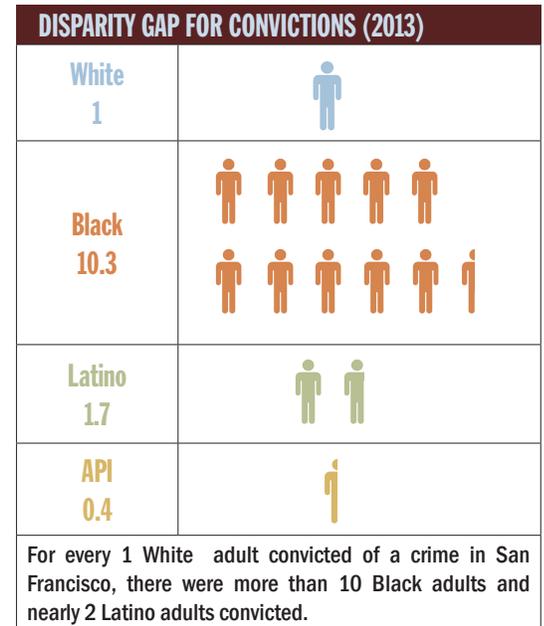
<sup>2</sup> Data regarding the homeless population were unavailable. Of the total 19,273 bookings in 2013, there were 3,973 (21%) that did not include a zip code. Some of these missing zip codes may be homeless adults who reside in San Francisco.

<sup>3</sup> Data for both Bookings and Pretrial eligible include the most recent year available (Q3 2013-Q2 2014). The data come from two distinct databases. Further analysis is needed to better understand this finding. For example, White adults may be more likely to be cited out and are therefore not included as “eligible” for pretrial release, and protocol for identifying “ethnicity” in the two information systems may not be consistent.

- 44 percent of Black adults had prior misdemeanor(s) compared to 45 percent of White adults, however, White adults with a prior misdemeanor were almost always more likely to be released at arraignment than Black adults with a prior misdemeanor; and
- 62 percent of Black adults had a high school diploma or GED compared to 66 percent of White adults, however, White adults with a HSD/GED were almost always more likely to be released at arraignment than Black adults with a HSD/GED.

## CONVICTIONS/SENTENCING

- For every White adult arrested and convicted in 2013, 1.4 Black adults were arrested and convicted.<sup>4</sup> (Due to lack of data about Latinos at arrest, no comparison of convictions to arrest was made for Latinos).
- Black adults in San Francisco (in the general population) are ten times as likely as White adults in San Francisco (in the general population) to have a conviction in court.
- Latino adults in San Francisco (in the general population) are nearly twice as likely as White adults in San Francisco (in the general population) to have a conviction in court.<sup>5</sup>
- The vast majority of all people convicted are sentenced to Jail/Probation. Black adults with Jail/Probation sentences are more likely to receive formal probation than White adults. Whereas 31 percent of White Adults receive formal probation, 53 percent of Black adults did.
- Black adults are more likely to be sentenced to prison and county jail alone and less likely to be sentenced to Jail/Probation sentence than White adults.
- When they receive Jail/Probation sentences, Black adults are more likely to have a longer County Jail sentence than White adults.
- Although more White adults are convicted on DUI charges with blood alcohol levels greater than or equal to .08 than Black adults, Black and Latino adults convicted of these charges are more likely to have a longer jail sentence (as part of a Jail/Probation sentence) than White adults.<sup>6</sup>
- Of all Black adults convicted, 6 percent were convicted of transporting or selling controlled substances; of all White adults convicted, only 1 percent was convicted of this charge. While the number of adults convicted of transporting or selling controlled substances has decreased substantially over the past 3 years, the proportion is consistently higher for Black adults.<sup>7</sup>
- Black adults convicted of transporting or selling controlled substances are more likely to stay longer in jail as part of a Jail/Probation sentence.
- Over the course of the last year, there were 288,177 bed days as the result of court sentences to jail (either though county jail alone or as a part of a Jail/Probation sentence). Black adults account for 50 percent of these sentenced bed days.



<sup>4</sup> When population data disregard ethnicity, the vast majority of Hispanic/Latino people are identified as White. This results in an inflated rate of system involvement for White adults; and subsequently an underestimation of the disparity gaps between White/Black adults & White/Latino adults.

<sup>5</sup> See note above. It is important to note this for all of the analyses in the conviction/sentencing section which compare White and Latino rates.

<sup>6</sup> Analysis of specific charges includes the entire timeframe, in order to increase the number of cases analyzed. The criminal code referenced here is VC 23152(b)/M.

<sup>7</sup> Analysis of specific charges includes the entire timeframe, in order to increase the number of cases analyzed. The criminal code referenced here is HS 11352(a)/F.



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SAN FRANCISCO JUSTICE  
REINVESTMENT INITIATIVE:  
RACIAL & ETHNIC DISPARITIES  
ANALYSIS FOR THE REENTRY  
COUNCIL

BY  
W. HAYWOOD BURNS  
INSTITUTE

Improving Life  
Opportunities for  
Youth, Families,  
and Communities  
of Color

June 23, 2015



# The W. Haywood Burns Institute (BI)

2

## *Our Work*

- ▣ The Burns Institute works to eliminate racial and ethnic disparities in the justice system by using a data driven, community centered approach to reducing system involvement for people of color.

## *Our Work in San Francisco:*

- ▣ Conduct analysis to identify whether and to what extent racial and ethnic disparities exist at key criminal justice decision making points.

# BI Strategy for Reducing Racial and Ethnic Disparities

3

Ongoing process

## 1. Identify Disparities

- Identify whether and to what extent racial and ethnic disparities exist

## 2. Identify, Analyze and Strategize around a “Target Population”

- Identify target population to focus the work.
- “Dig deeper” into target population to learn more about policy, practice, procedure and other factors contributing to disparities.
- Strategize around how policy, practice, and/or procedure change might result in reductions in disparities.
- Pilot or adopt policy, practice or procedural change

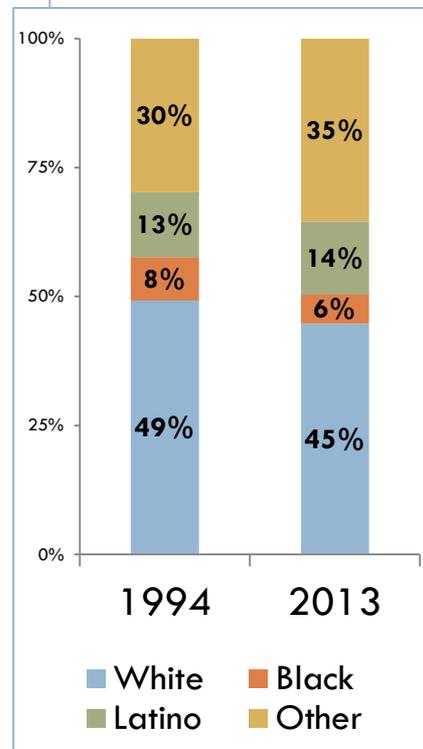
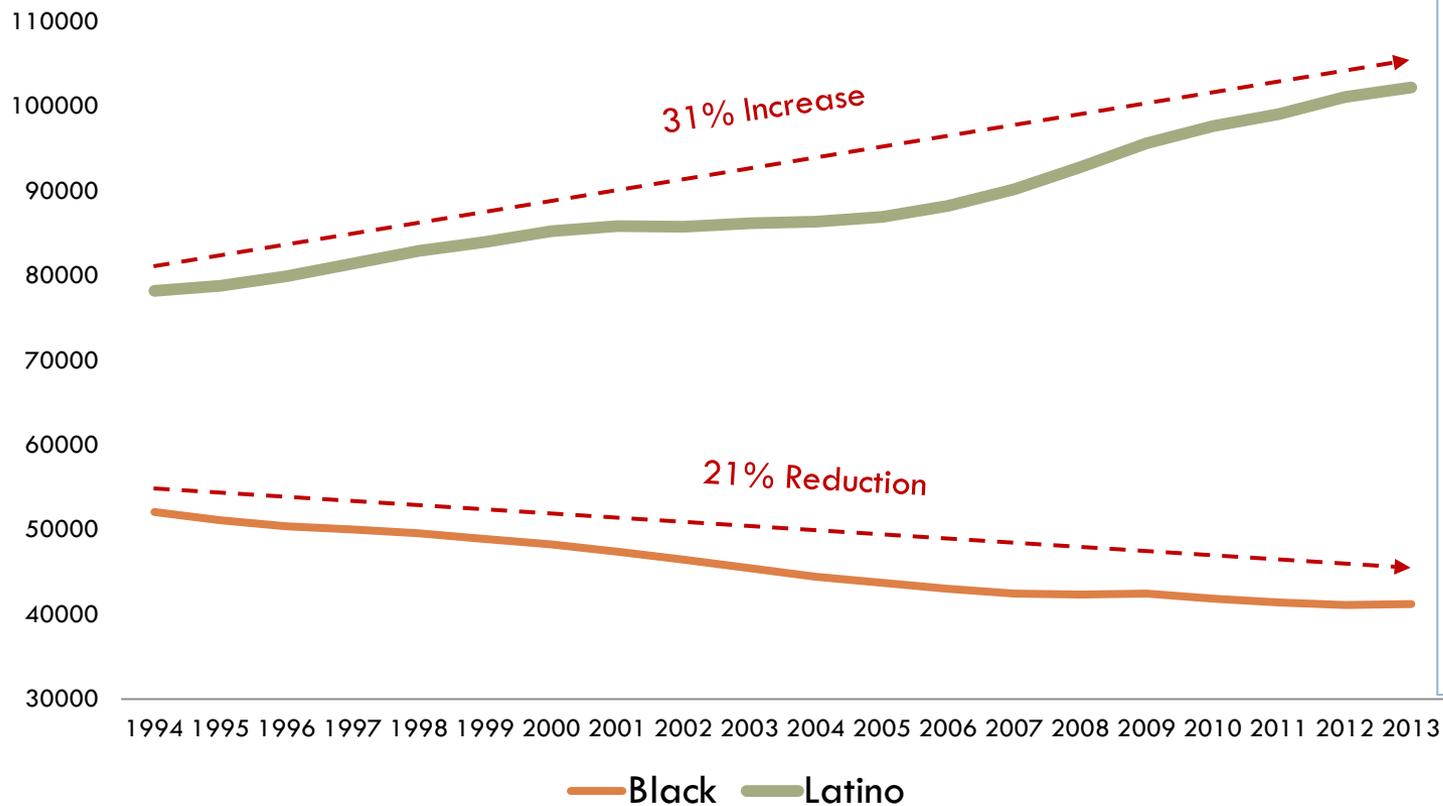
## 3. Measure Progress

- Monitor Effectiveness of Change
- Document changes in disparities

# San Francisco Demographics are Changing

4

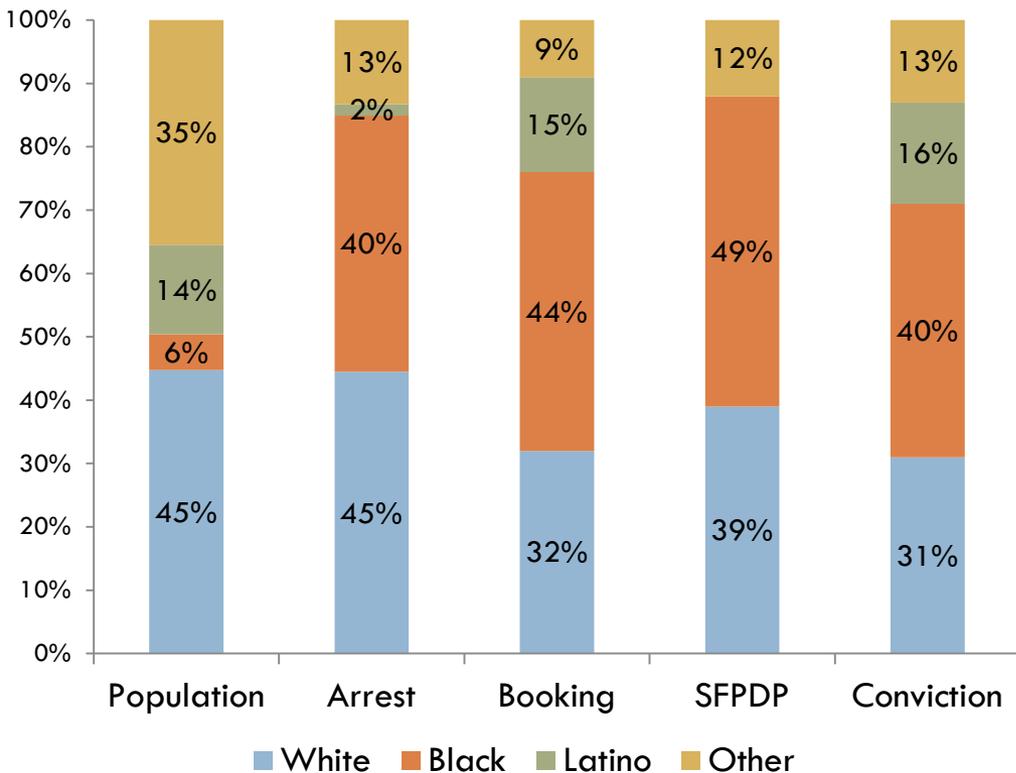
## San Francisco Adult Population: Changing Demographics



Source: Puzzanchera, C., Sladky, A. and Kang, W. (2014). "Easy Access to Juvenile Populations: 1990-2013." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezapop/>

# Overrepresentation of People of Color in San Francisco Criminal Justice System

## 2013 Data: San Francisco



**Black adults:** Overrepresented at each stage:

- 6% of adults in the population
- 40% of arrests
- 44% of bookings to jail (pretrial)
- 49% of adults eligible for SFPDP
- 40% of convictions

**Latino adults:** appear to be undercounted at various points in the criminal justice process, but data vary across decision points. **This is likely caused by misidentification of some Latinos as White.**

**Asian Pacific Islander and “other” adults:** This analysis did not focus on API or “other” adults. Future disparities analysis should do so and must account for differences between subgroups within the larger API population.

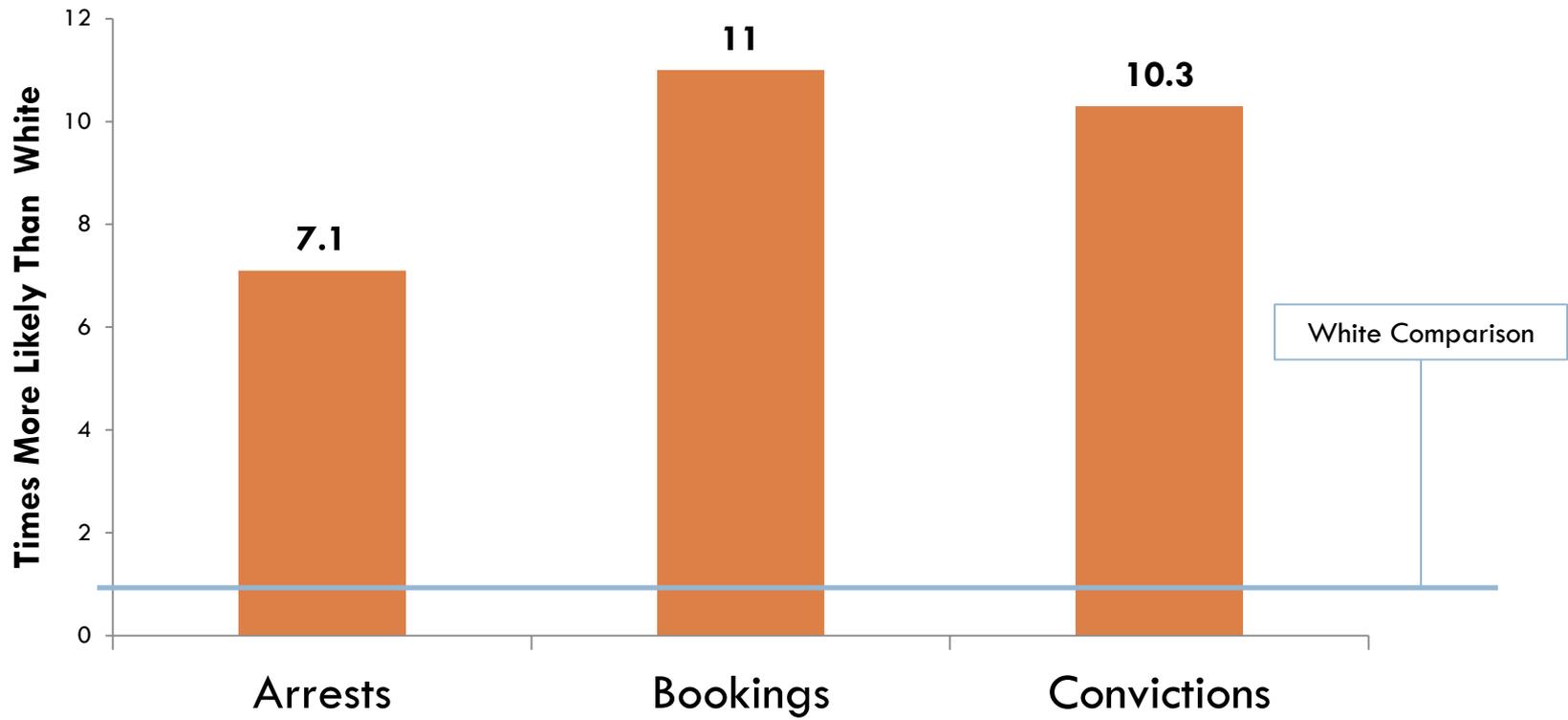
**Population Source:** Puzzanchera, C., Sladky, A. and Kang, W. (2014). "Easy Access to Juvenile Populations: 1990-2013." Online.

**Arrest Source:** "Monthly Arrest and Citation Register", State of California Department of Justice (October 2014). Online

**Booking, SFPDP and Conviction Data** provided to Burns Institute by Adult Probation as part of JRI data analysis agreement. Sources: CMS, JMS, SFPDP Databases.

# Disparity Gap at Key Decision Points

### Disparity Gap for Black Adults at Key Decision Points (2013)



7

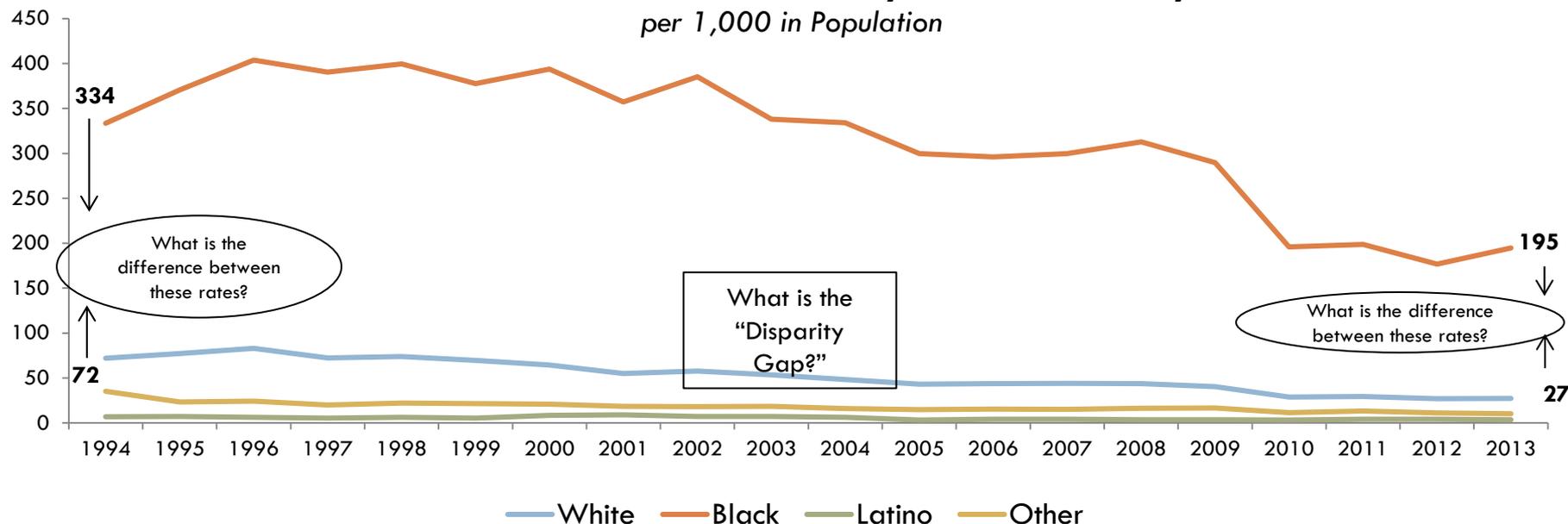
# ARRESTS

# Arrest Rate Deductions

8

## San Francisco Arrest Rates by Race & Ethnicity

per 1,000 in Population



### Reduction in Rate of Arrests:

- White = 62% reduction (72 per 1,000 to 27 per 1,000)
- Black = 42% reduction (334 per 1,000 to 195 per 1,000)

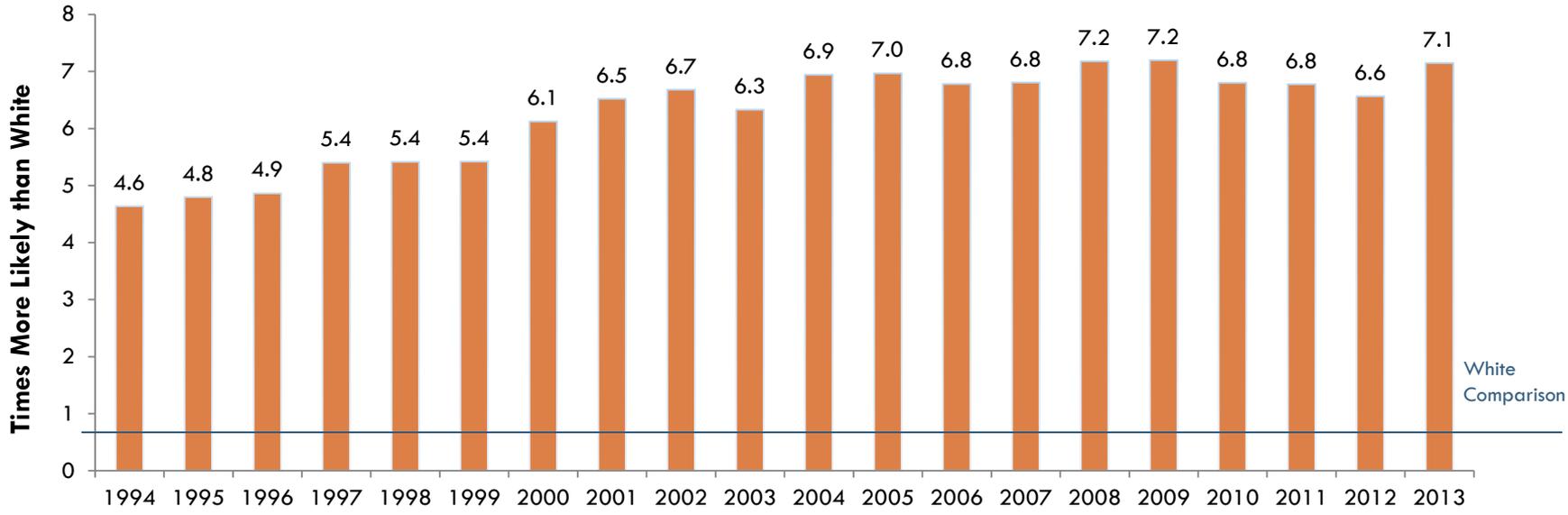
**Note:** These data do not include cite and release interactions with police.

**Note:** When population data disregard ethnicity, the vast majority of Hispanic/Latino people are incorrectly identified as White. This results in an inflated rate of system involvement for White adults; and subsequently an underestimation of the disparity gaps between White/Black adults & White/Latino adults.

Despite significant reductions in arrest rates, **disparities** between Black and White adult arrests have increased.

9

### Disparity Gap Between Black and White Arrest Rates



For every on 1 White adult arrested in 1994, **4.6** Black adults were arrested

	1994	2013	
White	1	1	White
Black	4.6	7.1	Black

For every on 1 White adult arrested in 2013, **7.1** Black adults were arrested.

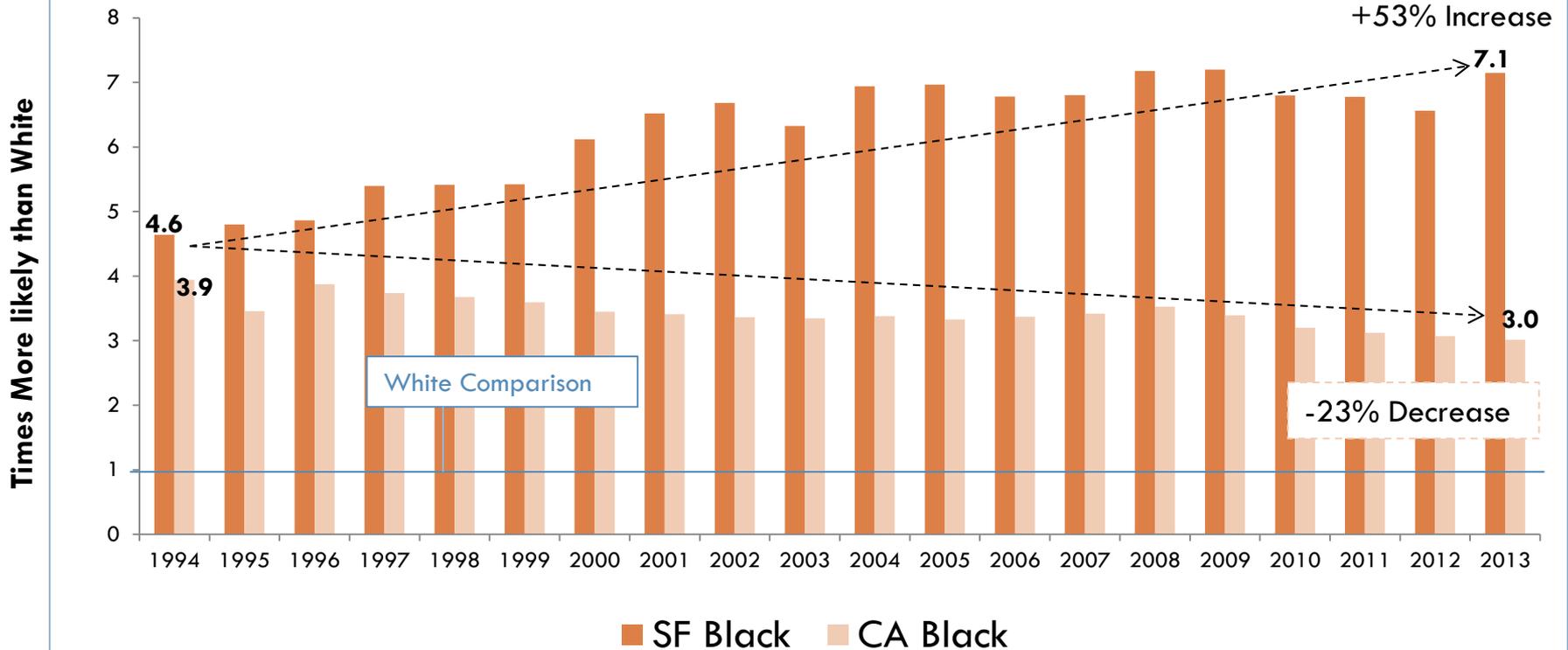
**Note:** when population data disregard ethnicity, the vast majority of Hispanic/Latino people are incorrectly identified as White. This results in an *inflated* rate of system involvement for White adults; and subsequently an *underestimation* of the disparity gaps between White/Black adults & White/Latino adults.

**Arrest Source:** "Monthly Arrest and Citation Register", State of California Department of Justice (October 2014). Online

# California & SF Disparity Gaps

10

## Disparity Gap Between Black and White Arrest Rates San Francisco vs. State of California



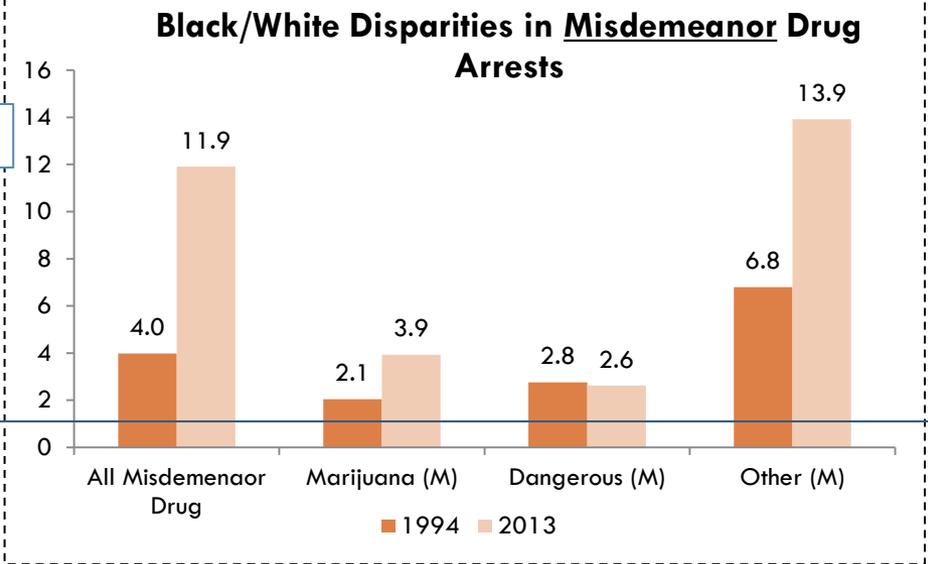
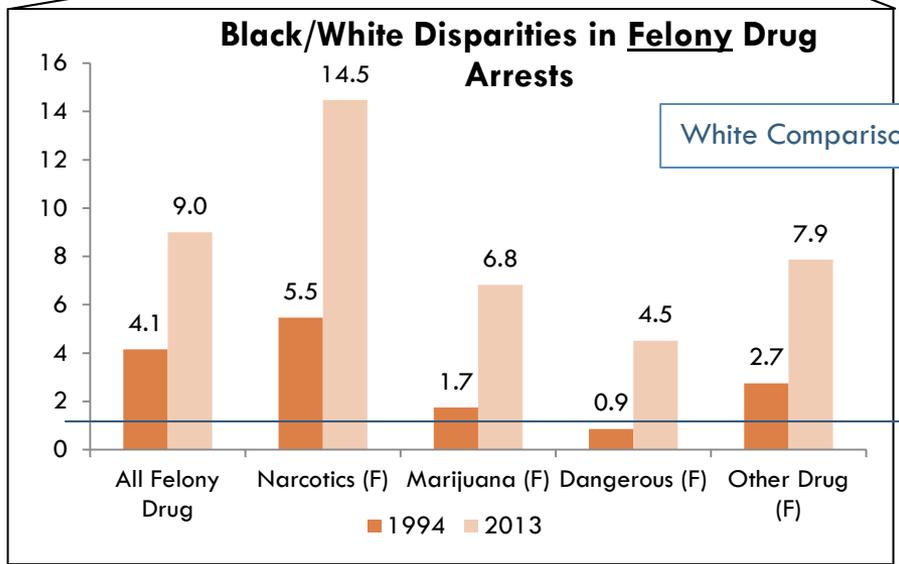
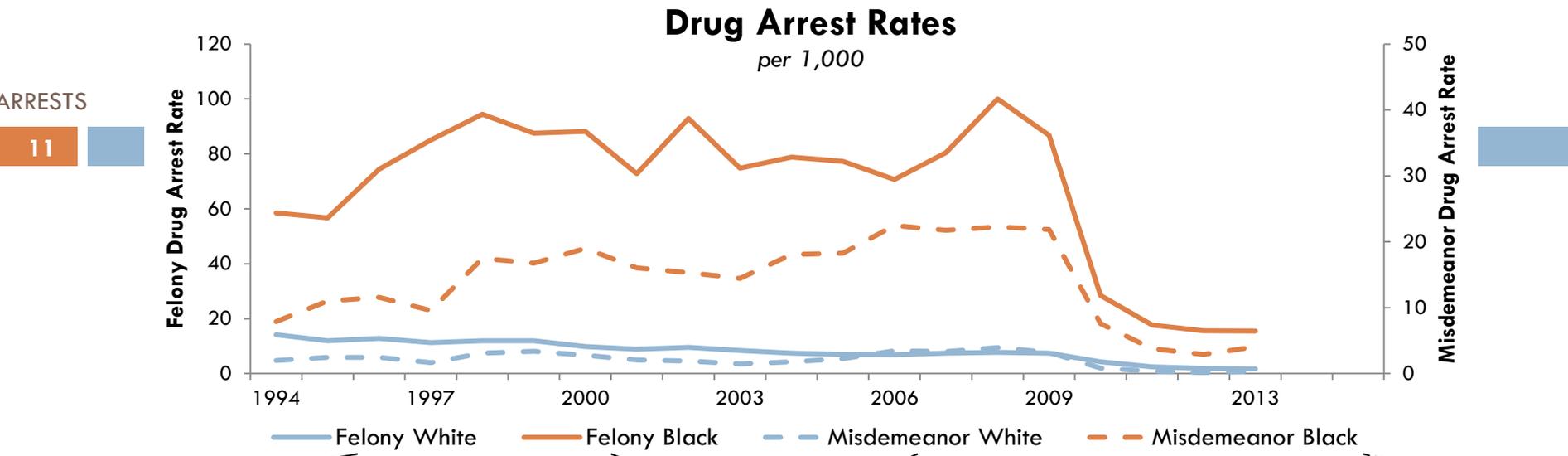
- Disparities in the rate of arrest between Black and White adults in San Francisco are greater than disparities in the State.
- **Disparities in the State are decreasing slightly while disparities in San Francisco continue to increase**

**Note:** when population data disregard ethnicity, the vast majority of Hispanic/Latino people are incorrectly identified as White. This results in an *inflated* rate of system involvement for White adults; and subsequently an *underestimation* of the disparity gaps between White/Black adults & White/Latino adults.

**Arrest Source:** "Monthly Arrest and Citation Register", State of California Department of Justice (October 2014). Online

# Disparities in Arrests for Drug Offenses Increased

Attachment B



Although rates of arrest for drug offenses have decreased in San Francisco from 1994 to 2013, the relative rate of arrest for drug offenses or “disparity gap” has increased.

12

# BOOKING TO PRETRIAL JAIL

# Overview of the Booking Data

13

## □ Source: CMS

- race/ethnicity pulled from JMS

## □ Full Time Frame: 1/1/11-6/30/14

- Started with 155,060 cases
- After we cleaned up the data, there were 63,318 bookings with data on race and ethnicity

## □ In 2013 (latest year):

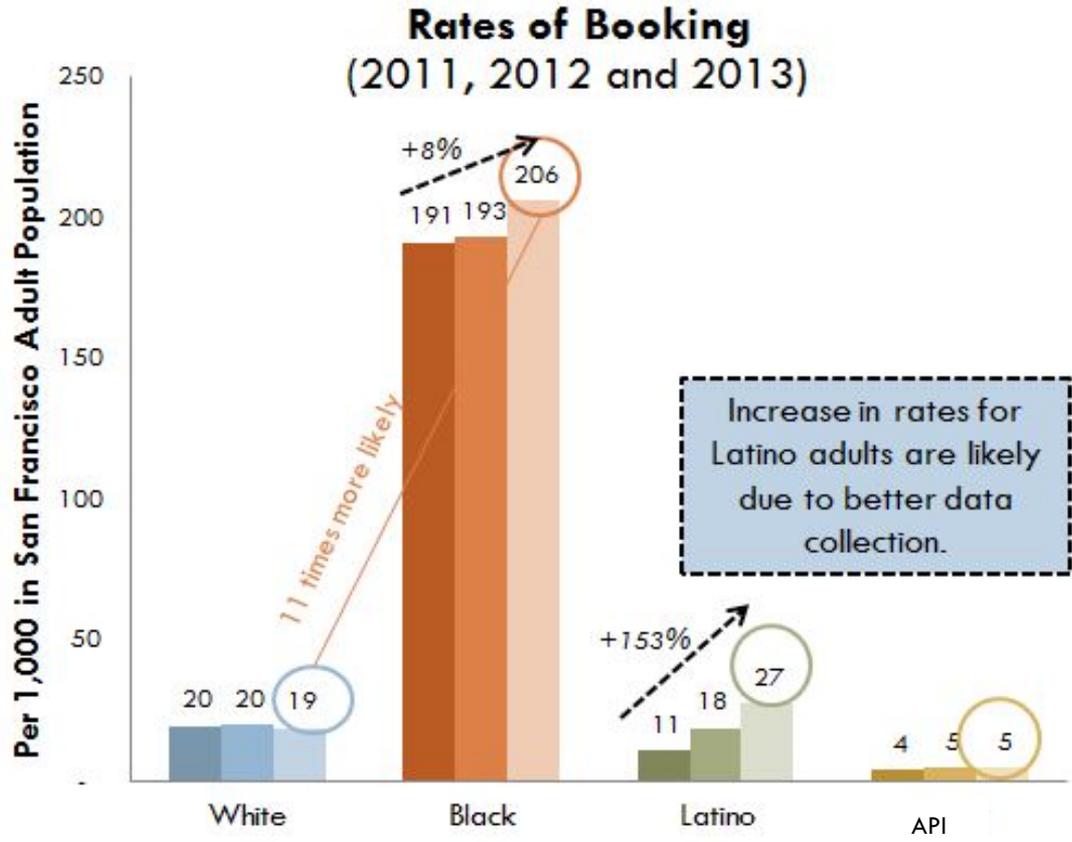
- 19,273 cases with data on race and ethnicity

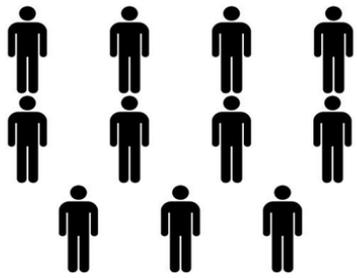
1/1/11-6/30/14	#
White	21,758
Black	28,125
Latino	7,010
API	4,058
Nat. Am.	246
Other	2,121
<b>Total</b>	<b>63,318</b>

**Data required extensive clean-up** in order to answer basic questions

# Rates and Disparity Gaps in Bookings to Jail in San Francisco (2011-2013)

14



2013 Disparity Gap	
	White 1
	Black 1 1
	Latino 1.
	5 Asian API

Rates of booking to jail are increasing for people of color in San Francisco, particularly Latino and Black adults.

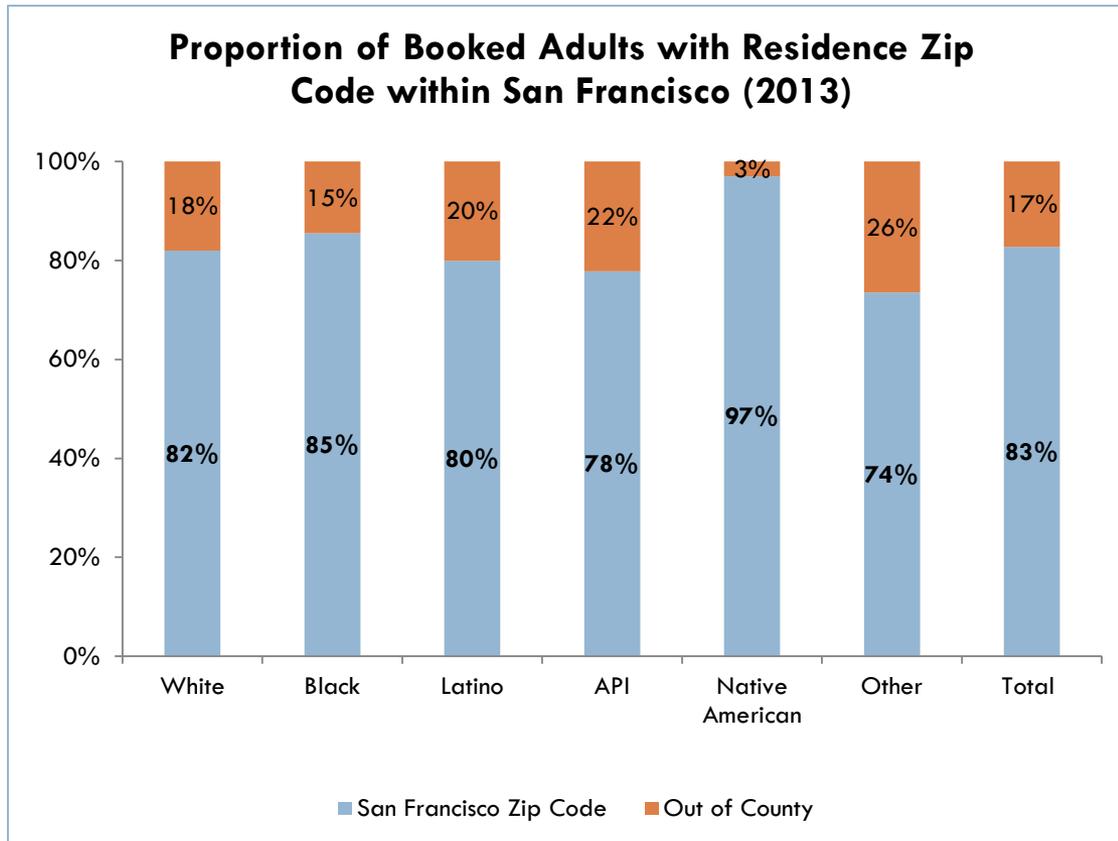
In 2013, for every 1 White adult booked:

- 11 Black adults were booked
- 1.5 Latino adults were booked
- .3 Asian adults were booked

**Note:** when population data disregard ethnicity, the vast majority of Hispanic/Latino people are incorrectly identified as White. This results in an inflated rate of system involvement for White adults; and subsequently an underestimation of the disparity gaps between White/Black adults & White/Latino adults.

# Bookings by Residence Zip Code

15



The vast majority of all adults booked in County Jail in San Francisco have a residence zip code within San Francisco.

**Note:** Zip Code analysis is based on cases for which zip code was recorded (in 2013, 15,272 cases). Data regarding the homeless population was unavailable. Of the total 19,273 bookings in 2013, there were 3,973 (21%) that did not include a zip code. Some of these missing zip codes may be homeless adults who reside in San Francisco.

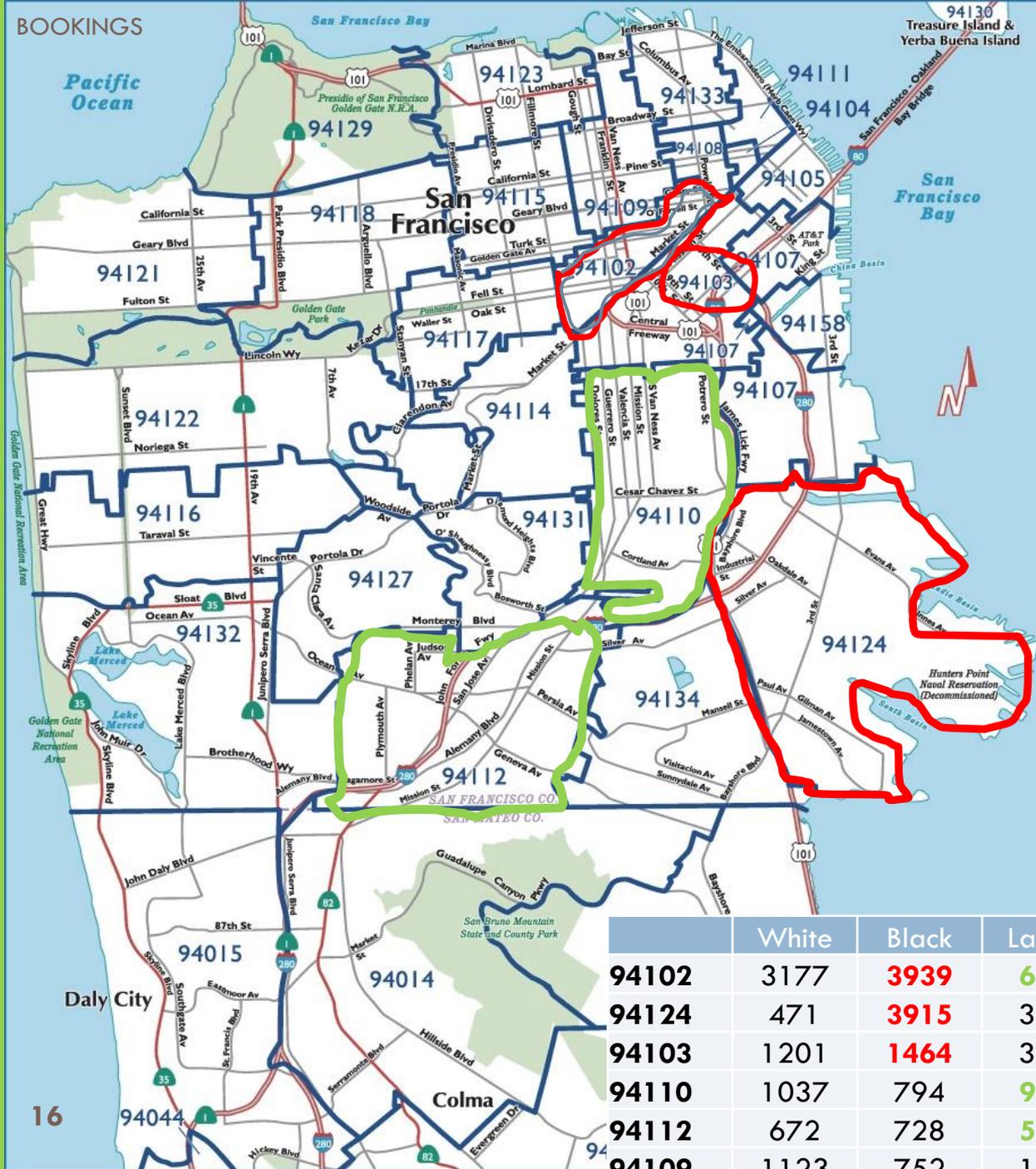
# Top Residence Zip Codes of Adults Booked into Jail in San Francisco

## Black:

- 94102: Tenderloin
- 94124: Bayview-Hunters Point
- 94103: South of Market

## Latino:

- 94110: Inner Mission/Bernal Heights
- 94102: Tenderloin
- 94112: Ingelside-Excelsior/Crocker-Amazon



	White	Black	Latino	API	Nat. Am.	Other	Total
<b>94102</b>	3177	<b>3939</b>	<b>675</b>	313	49	150	8303
<b>94124</b>	471	<b>3915</b>	386	237	8	115	5132
<b>94103</b>	1201	<b>1464</b>	301	129	12	74	3181
<b>94110</b>	1037	794	<b>909</b>	99	17	103	2959
<b>94112</b>	672	728	<b>541</b>	247	10	117	2315
<b>94109</b>	1123	752	160	149	11	67	2262

17

# PRETRIAL RELEASE

# Overview of the Data

18

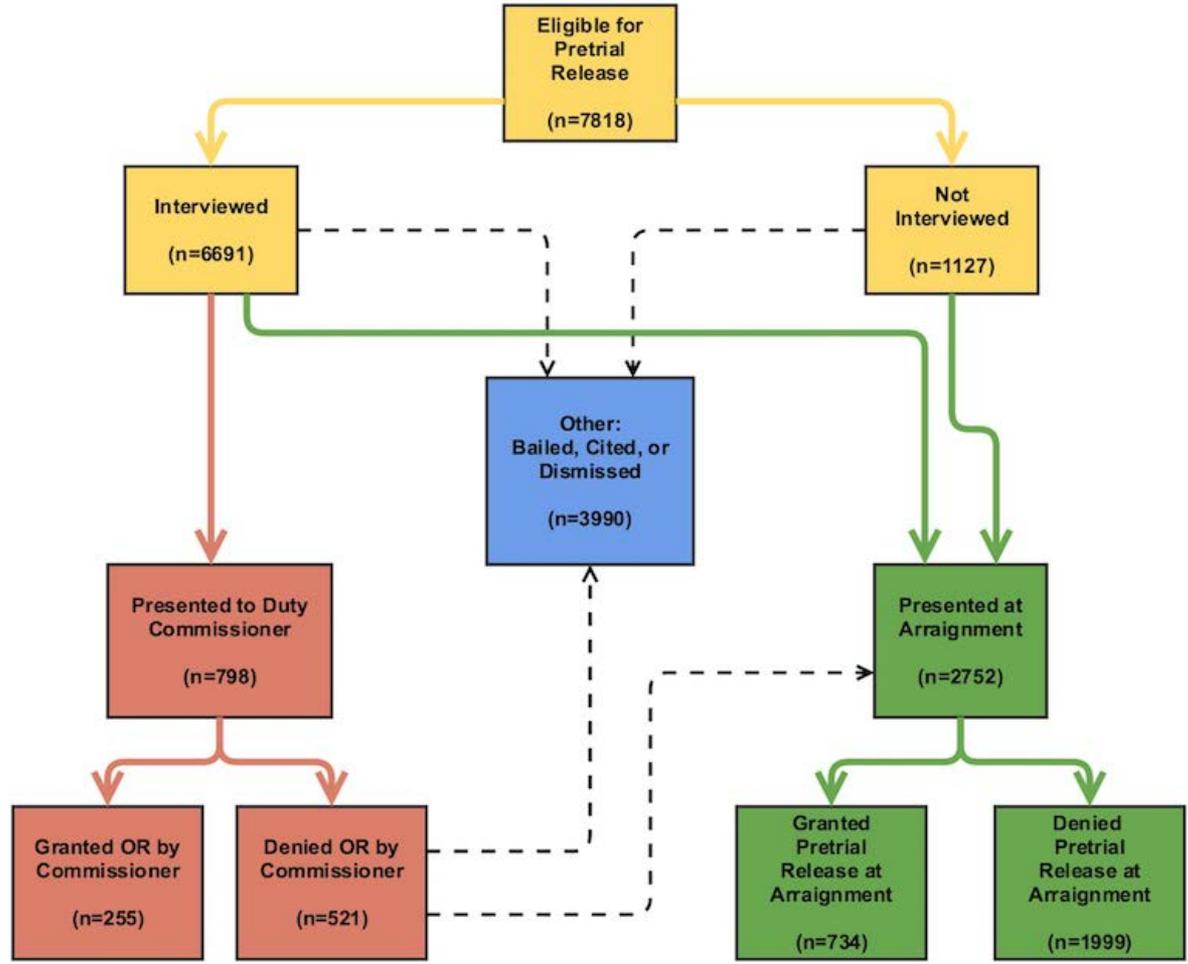
- **Source: San Francisco Pretrial Diversion Project (SFPDP) Data**
- **Full Time Frame: 1/1/11-6/30/14**
  - ▣ Started with 26,657 cases
  - ▣ After we cleaned up the data, we had 26,275 cases with race/ethnicity
- **Latest full year: Q3 2013 – Q2 2014**
  - ▣ 7,840 cases with data on race/ethnicity
    - 3,118 white; 3,683 black; 25 Latino; 100 Asian; 892 Other

1/1/11-6/30/14	#
White	10,426
Black	12,825
Latino	155
Asian	792
Other	2,077
<b>Total</b>	<b>26,275</b>

**Data required extensive clean-up in order to answer basic questions**

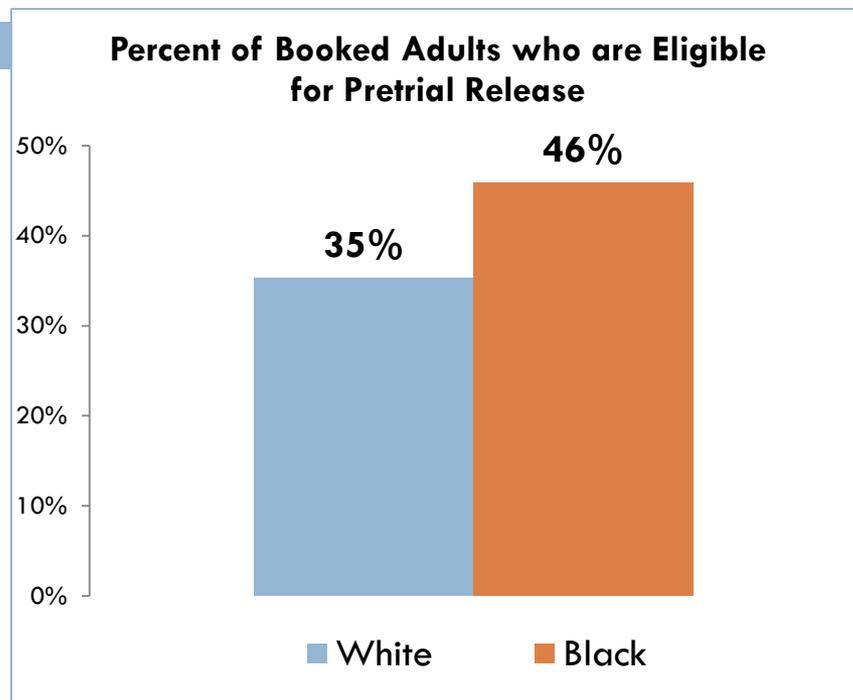
**Note:** Only black/white disparity analyzed due to small numbers for other racial/ethnic groups. When population data disregard ethnicity, the vast majority of Hispanic/Latino people are incorrectly identified as White. This results in an *inflated* rate of system involvement for White adults; and subsequently an *underestimation* of the disparity gaps between White/Black adults & White/Latino adults.

# Pretrial Release Flow



# Pretrial Release Eligible Compared to Bookings

20



Black adults booked into San Francisco County Jail are more likely than White adults to be eligible for Pretrial Release.

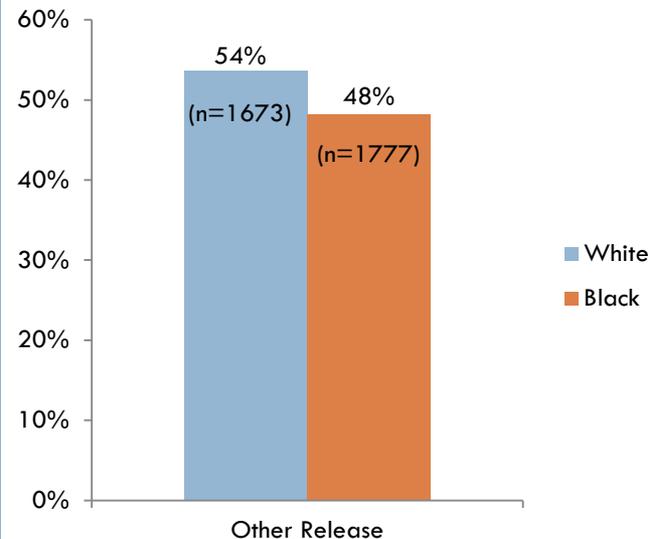
Whereas 35% of White adults booked were eligible for Pretrial Release, 46% of booked Black adults were eligible.

	White	Black
Bookings	5,940	7,947
Pretrial Release Eligible	3,118	3,683
<b>Percent of Booked Adults who are Eligible for Pretrial Release</b>	<b>35%</b>	<b>46%</b>

# Other Releases: Bailed, Cited, and Dismissed (Q3 2013 – Q2 2014)

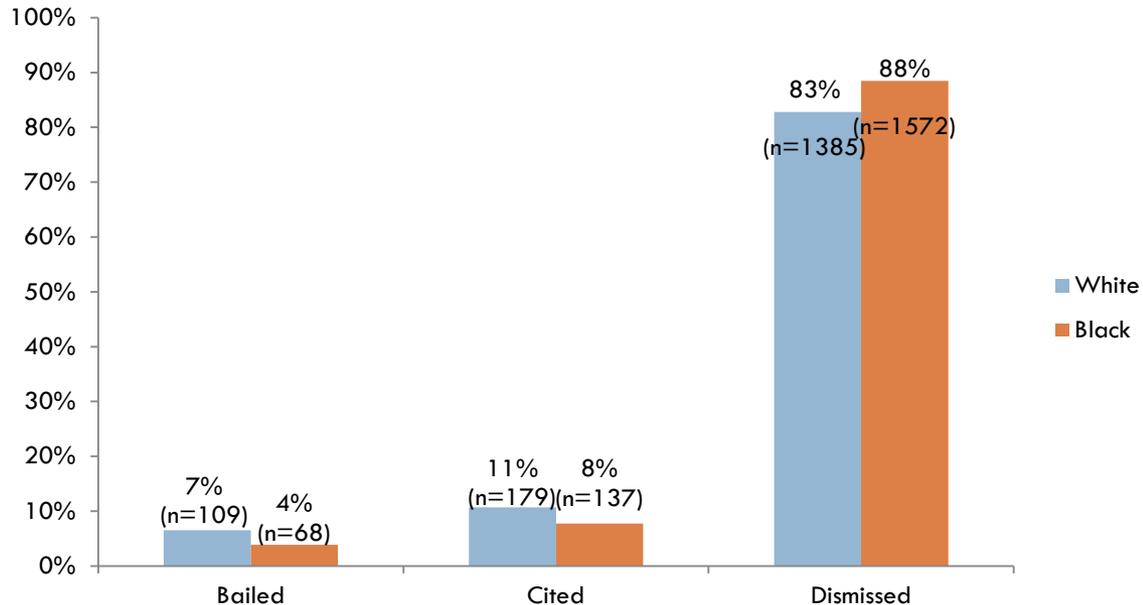
21

## Other: Bailed, Cited, & Dismissed



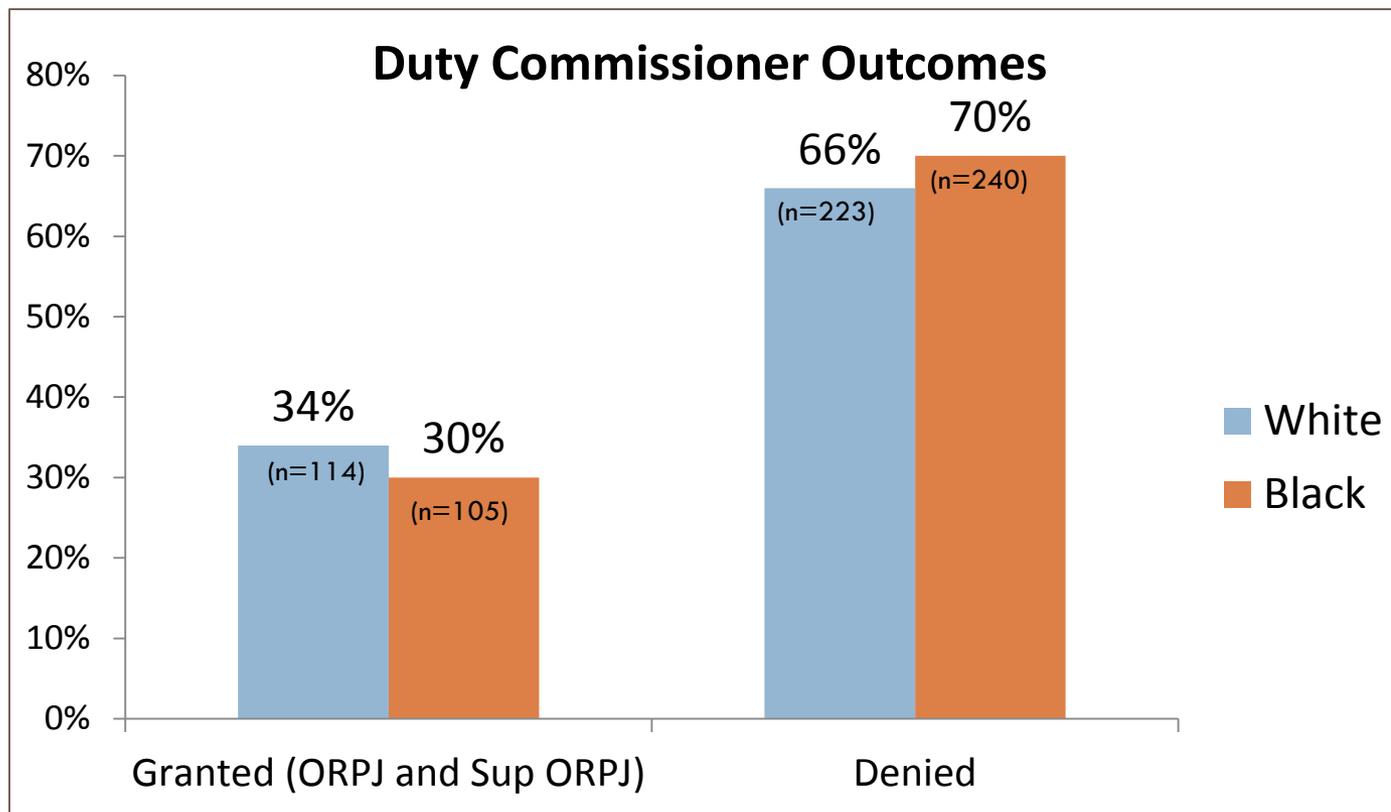
- Overall, a substantial proportion (51%) of all cases eligible for pretrial release were Other Releases.
- The proportion of eligible White adults released (54%) was higher than the proportion of eligible Black adults (48%).
- The vast majority of Black & White adults released had their cases dismissed.
- Black adults were more likely than White adults to have their case dismissed. White adults were more likely to post bail and be cited out than Black adults.

## Breakdown of Other Releases



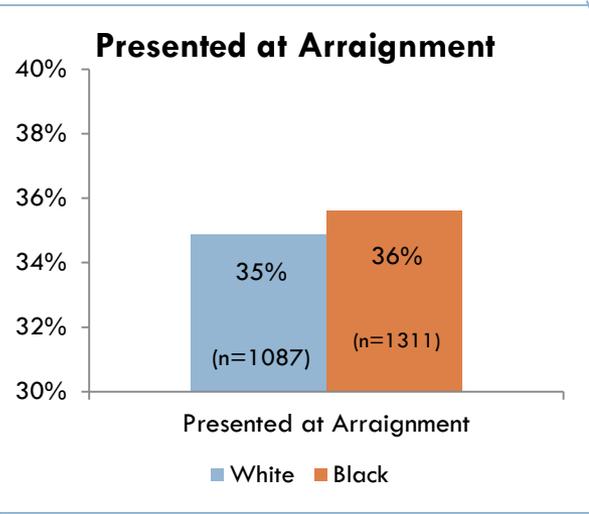
# Duty Commissioner Outcomes (Q3 2013-Q2 2014)

22

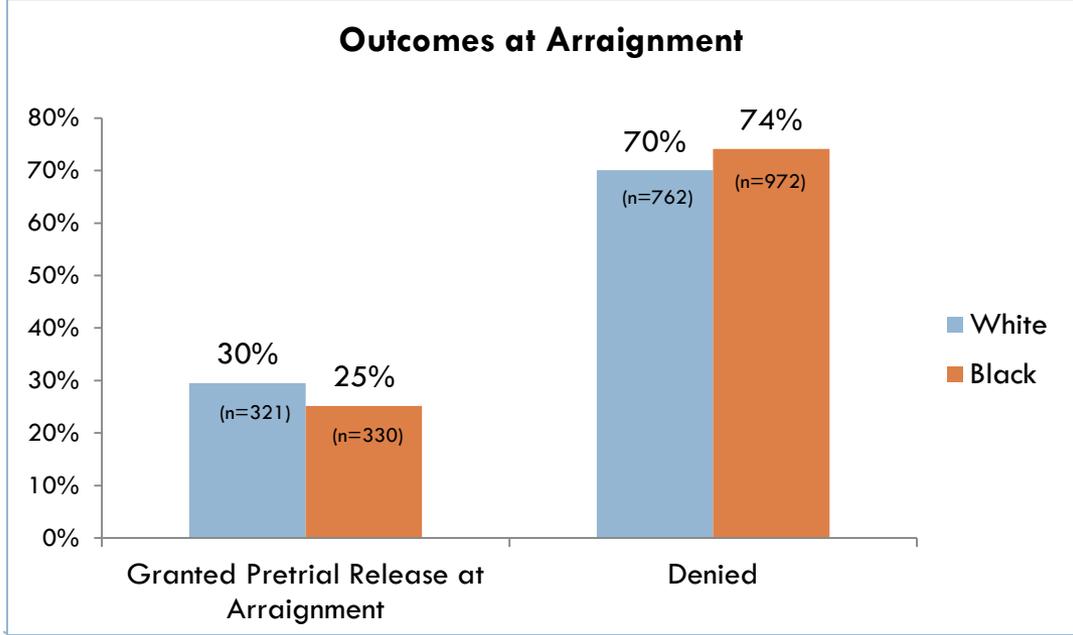


- A higher proportion of White adults presented to duty commissioner were granted OR (34%) than Black adults presented (30%).

# Presented at Arraignment (Q3 2013- Q2 2014)

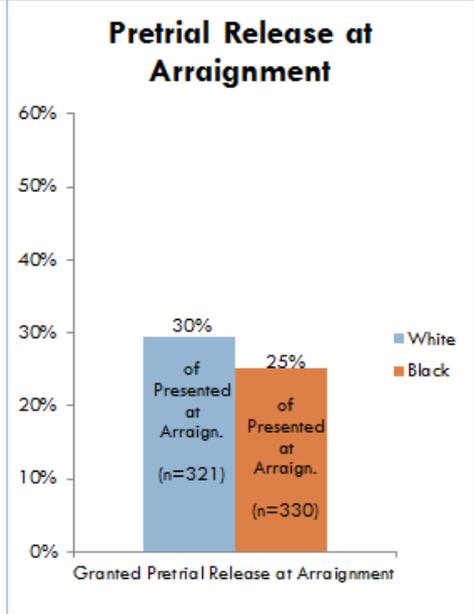
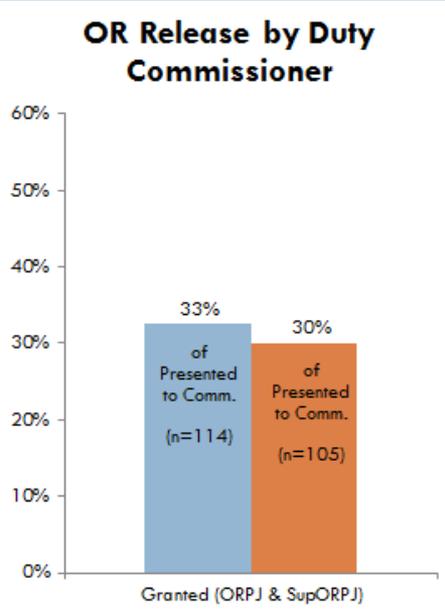
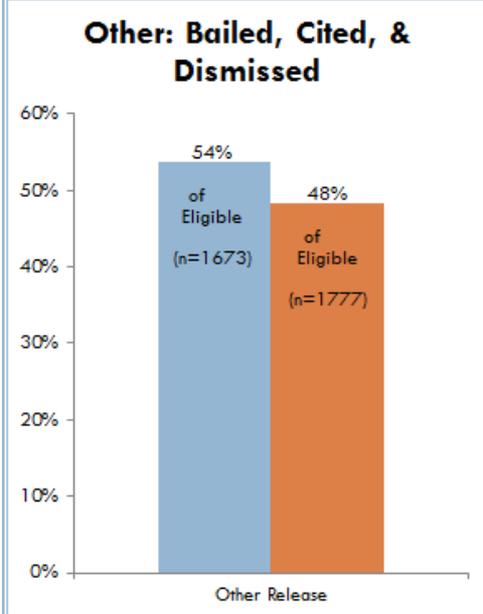
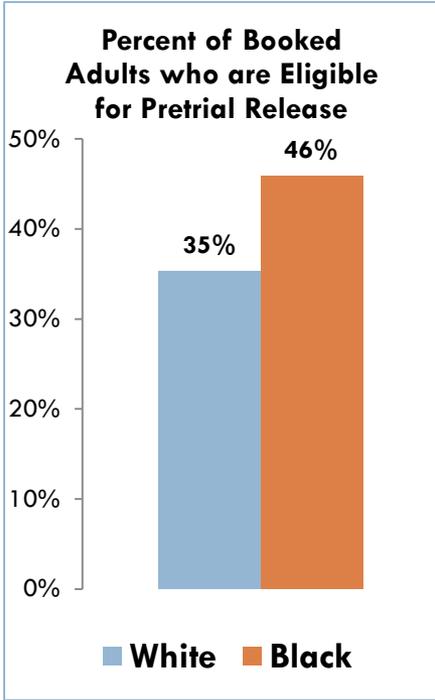


- 65% of adults eligible for pretrial release were released prior to arraignment.
- Black adults were less likely to be granted release at arraignment than White adults.



# Outcomes at Key Points

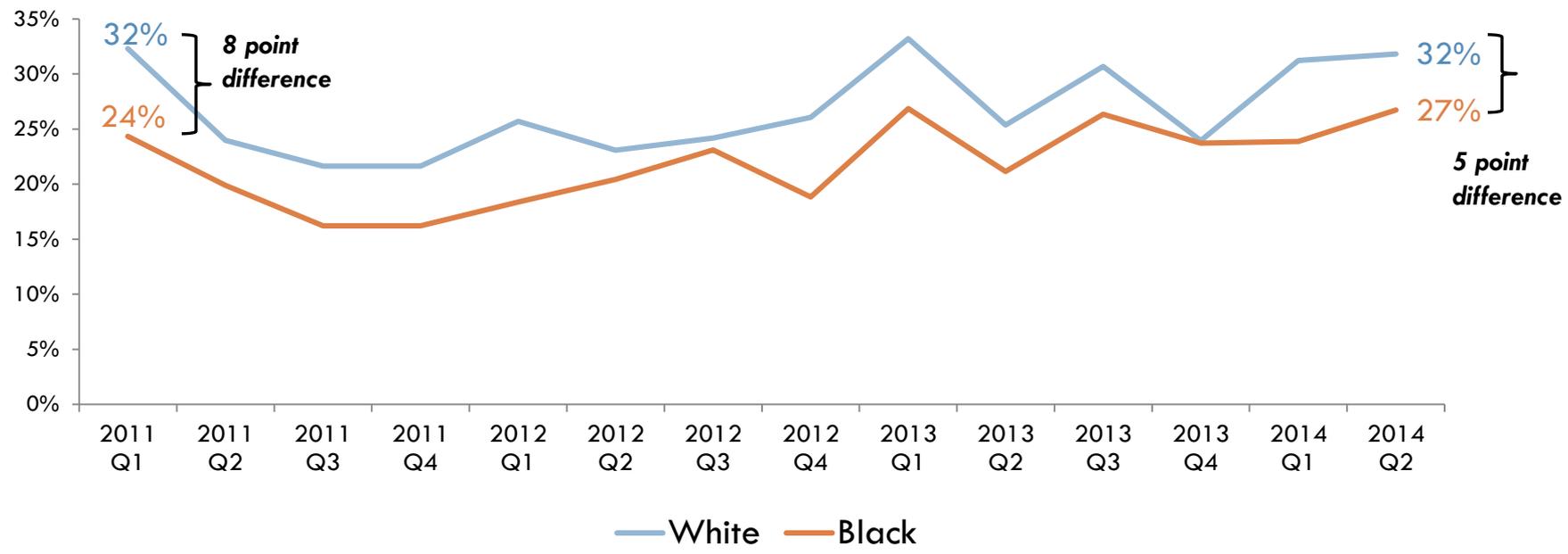
Booked Black adults are more likely than booked White adults to be eligible for Pretrial Release, but White adults are more likely to be released throughout the process.



Note: Data for both Bookings and Pretrial eligible include the most recent year available (Q3 2013-Q2 2014). The data come from two distinct databases.

# Granted Pretrial Release at Arraignment

### Pretrial Release at Arraignment (2011- Q2 2014)



White adults are consistently more likely to be granted pretrial release at arraignment.

Note: Trends in Duty Commissioner Grants of OR were not included due to small numbers.

# Trends for Adults at Arraignment (full time frame: Q1 2011 - Q2 2014)

26

### Educational Status

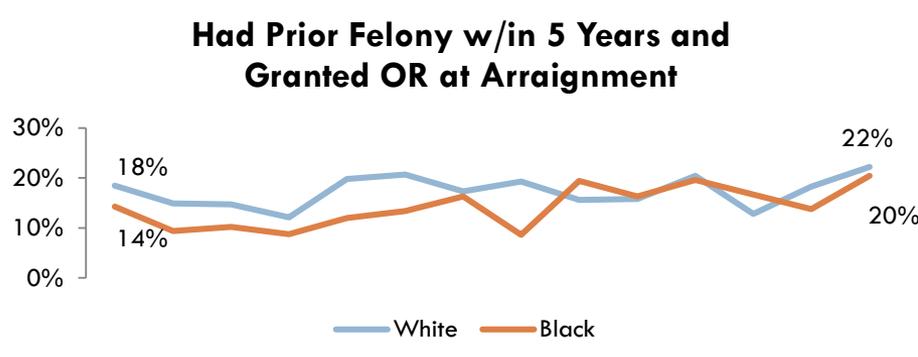
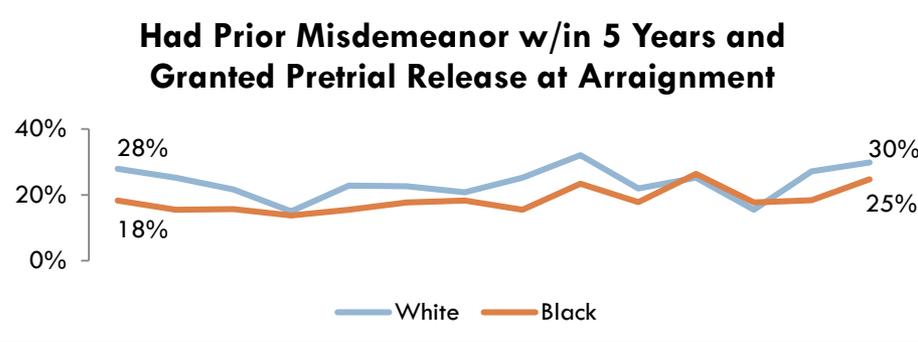
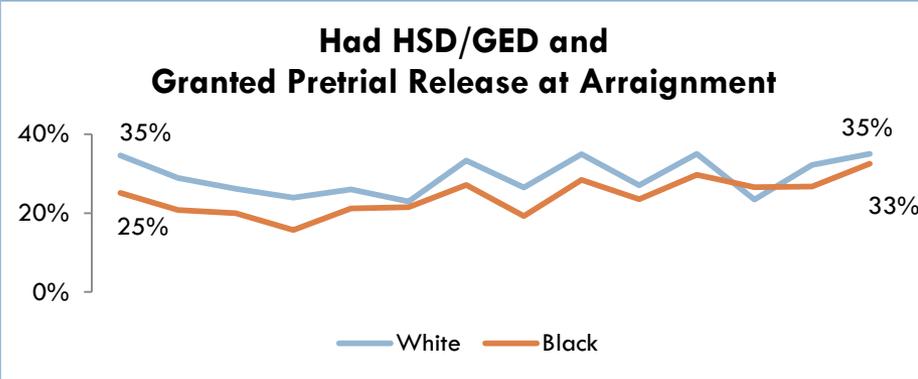
- 66% of White adults & 62% of Black adults had a high school diploma (HSD) or GED
- When limiting the parameters to only those with a HSD or GED, White adults were still more likely to be released than Black adults in most quarters.

### Prior Misdemeanor Convictions

- 45% of White adults and 44% of Black adults had a prior misdemeanor within 5 years.
- When limiting the parameters to only those with a prior misdemeanor conviction within 5 years, White adults were still more likely to be released than Black adults in most quarters. The chart to the right shows the percent of each group released that had a misdemeanor within 5 years.

### Prior Felony Convictions

- 26% of White adults and 39% of Black adults had a prior felony within 5 years.
- When limiting the parameters to only those with a prior felony conviction within 5 years, White adults were still more likely to be released than Black adults in most quarters. The chart to the right shows the percent of each group released that had a prior felony within 5 years.



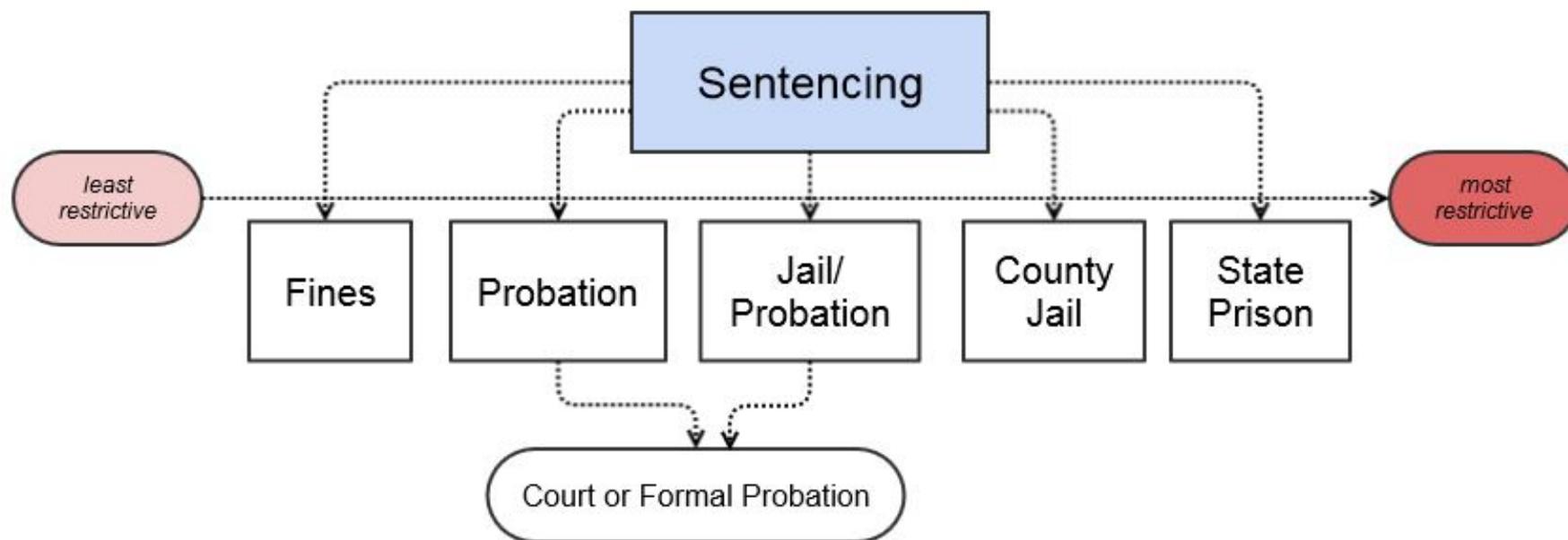
Note: Not all prior convictions are SF convictions.

27

# CONVICTIONS AND SENTENCING

# Sentencing Options

28



## General Sentencing Questions

- What types of sentences do defendants receive?
- How long are the sentences?
- Are defendants of color more likely to receive more restrictive sentences than White defendants?
- What sentences do defendants receive for the top convicted charges?
- How have sentences changed from 2011-2013/2014?

# Overview of the Data

29

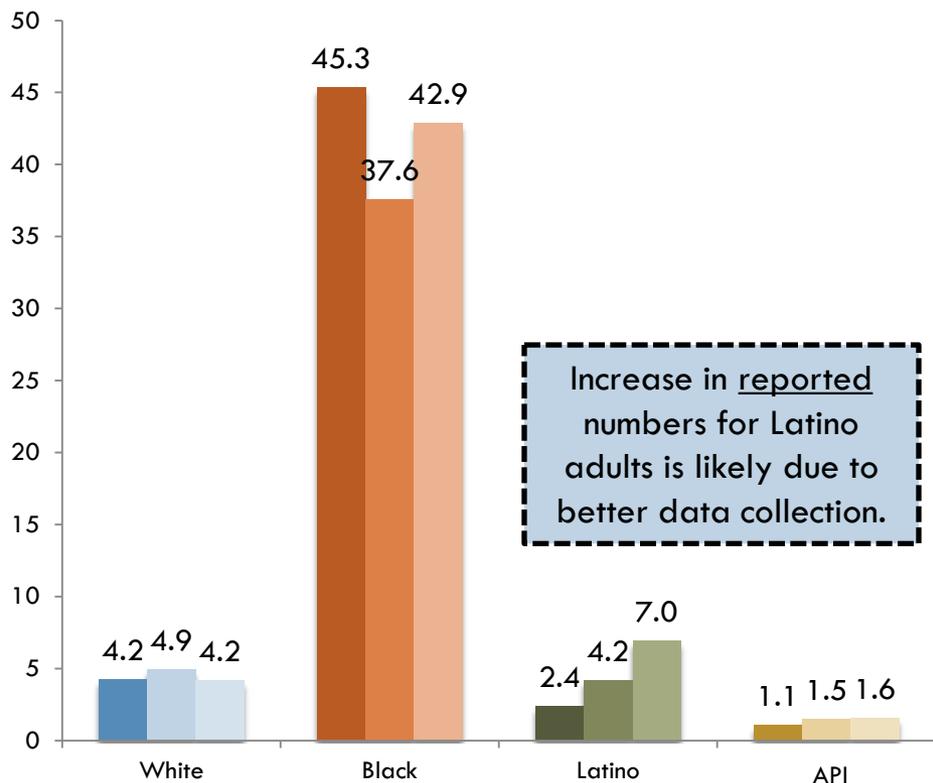
- **Source: CMS**
  - Race/Ethnicity pulled from JMS
- **Full Time Frame: 1/1/11-6/30/14**
  - Started with 18,621 convictions
  - After we cleaned up the data, there were 14,618 cases with data on race/ethnicity
- **Latest full year: Q3 2013-Q2 2014**
  - 4,806 convictions with both SF# and data on race/ethnicity

1/1/11-6/30/14	#
White	4,963
Black	6,030
Latino	1,731
API	1,210
Nat. Am.	46
Other	638
<b>Total</b>	<b>14,618</b>

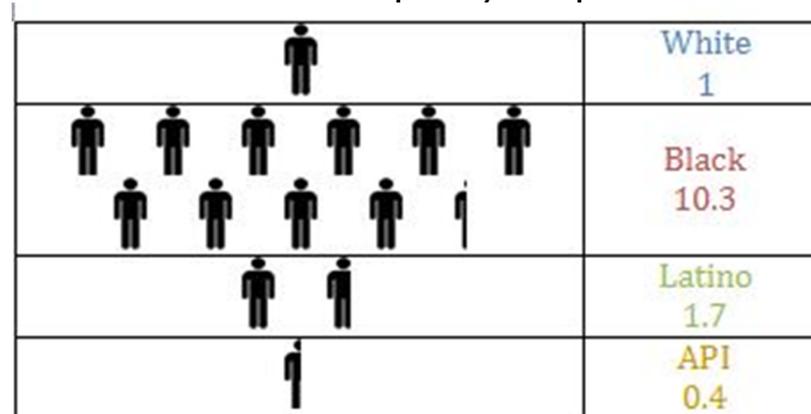
**Data required extensive clean-up** in order to answer basic questions

# Disparity Gaps in Convictions in San Francisco (2011-2013)

**Convictions**  
per 1,000 in population  
(2011, 2012, 2013)



2013 Disparity Gap



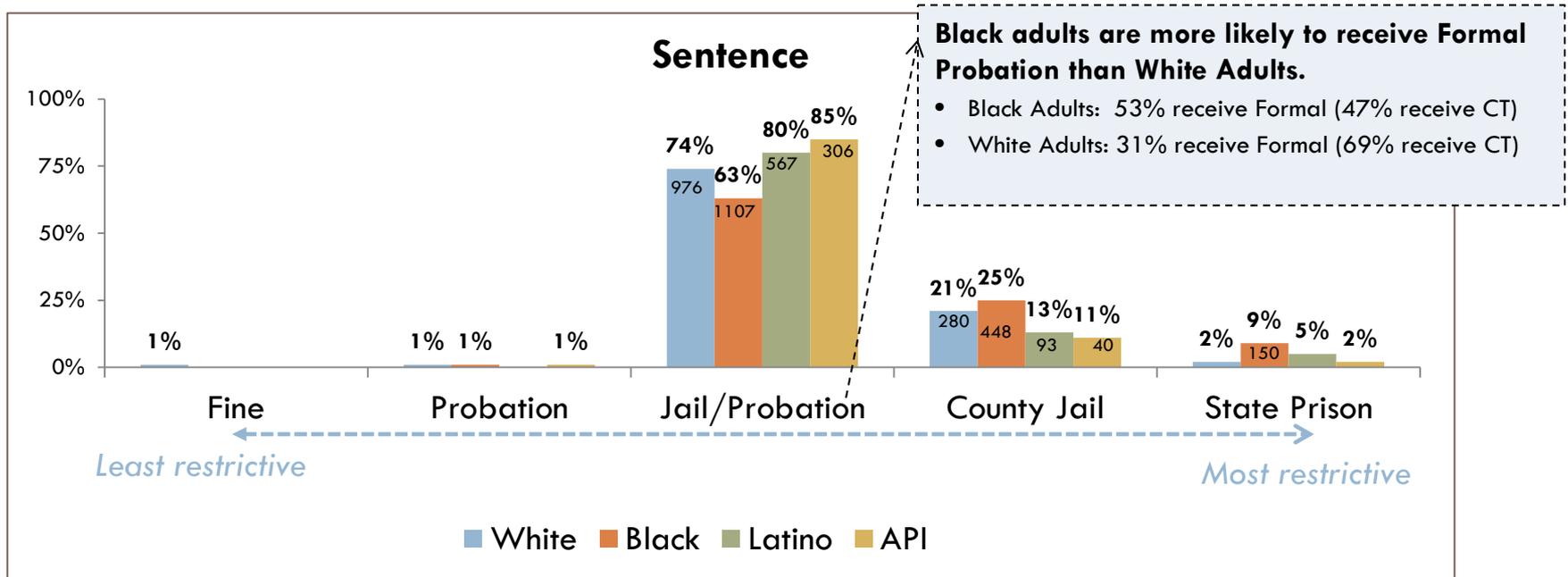
For every White adult convicted in 2013, more than 10 Black adults were convicted

**Note:** when population data disregard ethnicity, the vast majority of Hispanic/Latino people are incorrectly identified as White. This results in an *inflated* rate of system involvement for White adults; and subsequently an *underestimation* of the disparity gaps between White/Black adults & White/Latino adults.

Source of population data for rates calculation: Puzanchera, C., Sladky, A. and Kang, W. (2014). "Easy Access to Juvenile Populations: 1990-2013." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezapop/>

# Sentence Type by Race/Ethnicity

latest full year: Q3 2013– Q2 2014



Black adults are more likely to be sentenced to a **more restrictive** Sentence.

▣ **State Prison:**

- ▣ 2 % of White Adults were sentenced to Prison
- ▣ 5% of Latino Adults were sentenced to Prison
- ▣ 9% of Black Adults were sentenced to Prison

▣ **County Jail:**

- ▣ 21% of White Adults were sentenced to County Jail
- ▣ 25% of Black Adults were sentenced to County Jail

\* An Additional 47 adults received “Suspended State to Jail/Probation (W=10; B=25; L=7; API= 3).

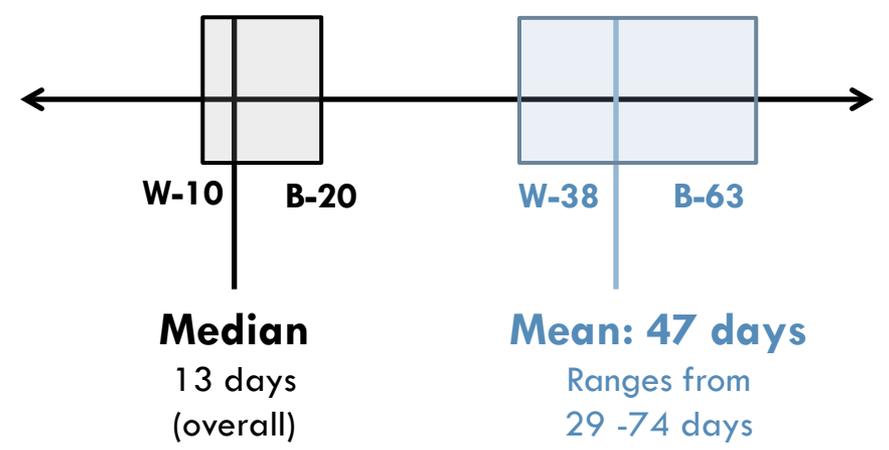
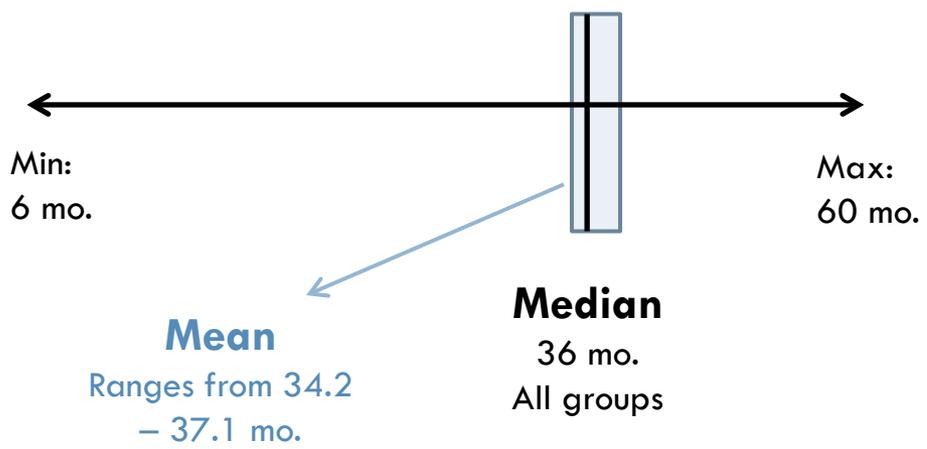
**Note:** when population data disregard ethnicity, the vast majority of Hispanic/Latino people are incorrectly identified as White. This results in an *inflated* rate of system involvement for White adults; and subsequently an *underestimation* of the disparity gaps between White/Black adults & White/Latino adults.

# Sentence Length: Jail/Probation Sentences

(latest full year: Q3 2013– Q2 2014)

**32 Probation Sentences are Similar for all Racial/Ethnic Groups and across Gender**  
(measured in months)

**Sentences to County Jail vary considerably**  
(measured in days)



Probation (months)	W	B	L	API	NA	O	Total
N	976	1,107	567	306	10	142	3,108
Mean	35.7	36.3	37.1	36.4	34.2	35.5	36.2
Median	36.0	36.0	36.0	36.0	36.0	36.0	36.0

County Jail (days)	W	B	L	API	NA	O	Total
N	976	1,107	567	306	10	142	3,108
Mean	38	63*	39	39	74	29	47
Median	10	20*	10	10	23	10	13

\* Statistically significant (p=.05).

# Top Convicted Charges

(Full Time Frame: Q1 2011- Q2 2014)

33

	White	Black	Latino	API	Nat. Am.	Other	Total
DUI BAC .08—VC23152(b) (M)	900	278	393	280	4	178	2,033
Felony Burglary (F)	249	412	47	38	2	22	770
Reckless Driving (M)	244	72	70	120	2	55	563
Misd. Burglary (M)	200	256	37	47	3	11	554
Transporting or Selling Controlled Substances—HS11352(a) (F)	71	361	43	13	0	16	504
DUI Alcohol/Drugs (M)	205	73	59	67	1	49	454
Solicit Specific H and S Acts (M)	150	206	31	13	0	11	411
Battery (M)	120	101	54	31	1	21	328
Rec Known Stolen Prop \$400 (F)	103	147	34	19	0	13	316
Poss Methaqualone/Etc. (M)	53	189	19	8	0	9	278
Grand Theft from Person (F)	32	201	28	10	0	7	278
Possess Controlled Substance (F)	50	195	16	7	0	6	274
Lost/Stolen Property (M)	131	94	19	25	1	4	274
Possess Controlled Substance (M)	150	61	27	14	0	6	258
Robbery (F)	27	176	32	14	0	6	255
<i>all other charges</i>	2,278	3,208	822	504	32	224	7,068
<b>Total</b>	<b>4,963</b>	<b>6,030</b>	<b>1,731</b>	<b>1,210</b>	<b>46</b>	<b>638</b>	<b>14,618</b>

# A closer look at sentences for DUI Blood Alcohol .08

(Full Time Frame: Q1 2011- Q2 2014)

34

## WHY DUI? (23152(B)VC/M)

- DUI was the top convicted charge code.
- In the full time period, 14% (2,033 of 14,618 sentences) were for DUI.

	White	Black	Latino	API	Nat. Am.	Other	Total
DUI .08	900	278	393	280	4	178	2,033
All Sentences	4,963	6,030	1,731	1,210	46	638	14,618
DUI as % of total	18%	5%	23%	23%	9%	28%	14%

## Jail/Probation Sentences are by far the most frequently used sentence for DUI.

	White	Black	Latino	API	Nat. Am.	Other	Total
County Jail	11 (1%)	10 (4%)	9 (2%)	1 (0%)	1 (25%)	1 (1%)	33 (2%)
Probation	1 (0%)	0 (0%)	0 (0%)	3 (1%)	0 (0%)	0 (0%)	4 (0%)
Jail/Probation	888 (99%)	268 (96%)	384 (98%)	276 (99%)	3 (75%)	177 (99%)	1,996 (98%)
Total	900	278	393	280	4	178	2,033

\* There were a total of 18,206 cases with sentences, but only 14,618 had data on race/ethnicity. There were 2,914 sentences for DUI, but 2,033 had data on race/ethnicity.

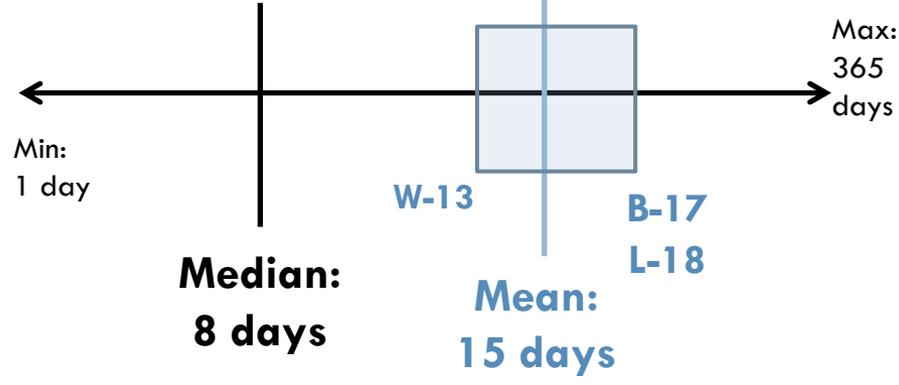
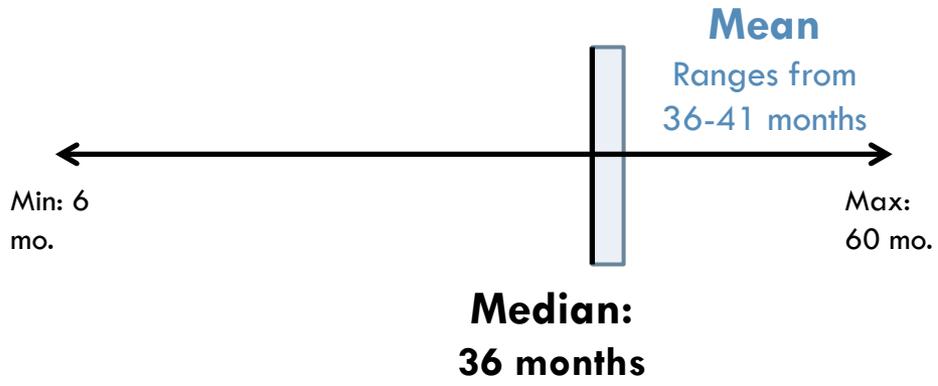
# Sentence Length: Jail/Probation Sentences for DUI .08

(Full Time Frame: Q1 2011- Q2 2014)

(VC 23152(b))

**Probation Sentences are similar across racial/ethnic groups.**

**Black and Latino Adults have longer average sentences to County Jail than White Adults.**



Probation (months)	W	B	L	API	NA	O	Total
N	888	268	384	276	3	177	1,996
Mean	40.1	41.1	41.2	40.4	36.0	40.5	40.5
Median	36.0	36.0	36.0	36.0	36.0	36.0	36.0

County Jail (days)	W	B	L	AP I	NA	O	Total
N	888	268	384	276	3	177	1,996
Mean	13	17	18*	12	7	15	15
Median	7	8	10	5	5	5	8

\* Statistically significant (p=.05).

# A closer look at sentences for Transporting or Selling Controlled Substances (HS 11352(a)/F)

Attachment B

(Full Time Frame: Q1 2011- Q2 2014)

## WHY Transport/Sell Controlled Substances? (HS 11352(a)/F)

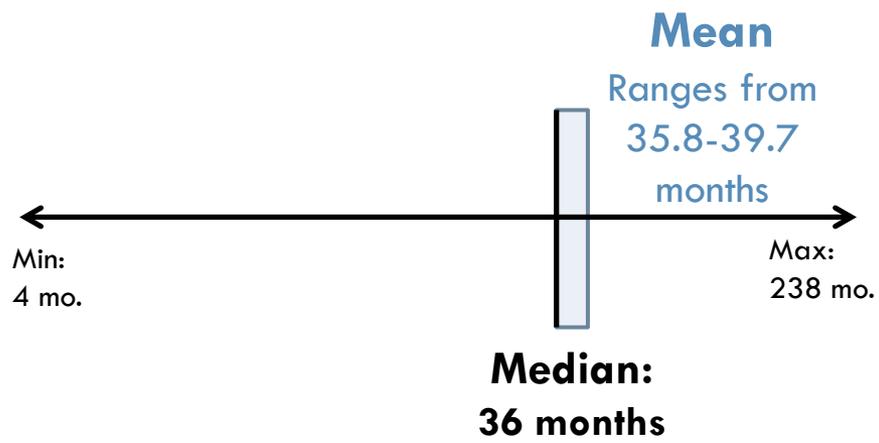
- Transport/Sell Controlled Substances was the 2<sup>nd</sup> most frequent charge for which Black adults were convicted in the full time frame.

	White	Black	Latino	API	Nat. Am.	Other	Total
Trans Sell Controlled Substances	71	361	43	13	0	16	504
All Sentences	4,963	6,030	1,731	1,210	46	638	14,618
Trans/Sell as % of total	1%	6%	2%	1%	0%	3%	3%

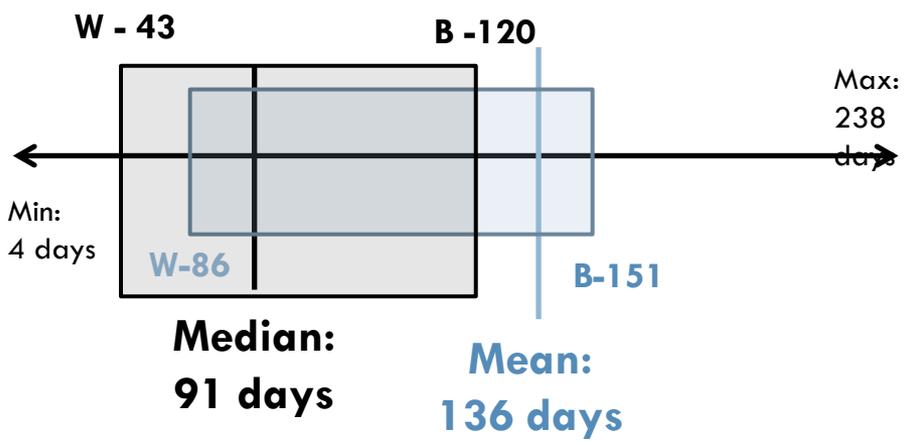
	White	Black	Latino	API	Nat. Am.	Other	Total
County Jail	6 (8%)	53 (15%)	3 (7%)	4 (31%)		1 (6%)	67 (13%)
Jail/Probation	64 (90%)	238 (66%)	33 (77%)	4 (31%)		13 (81%)	352 (70%)
State prison	1 (1%)	38 (11%)	7 (16%)	2 (15%)		2 (13%)	50 (10%)
Suspended state to Jail/Probation	0 (0%)	32 (9%)	0 (0%)	3 (23%)		0 (0%)	35 (7%)
Total	71	361	43	13		16	504

# Sentence Length: Jail/Probation Sentences for Transporting or Selling Controlled Substances (Full Time Frame: Q1 2011- Q2 2014)

**Black adults had longer average probation sentences than White adults.**



**Black and Latino adults had longer average and median lengths of Sentences to County Jail than White adults.**



Probation (months)	W	B	L	API	O	Total
N	64	238	33	4	13	352
Mean	35.8	38.2*	36.7	39	39.7	37.7
Median	36	36	36	36	36	36

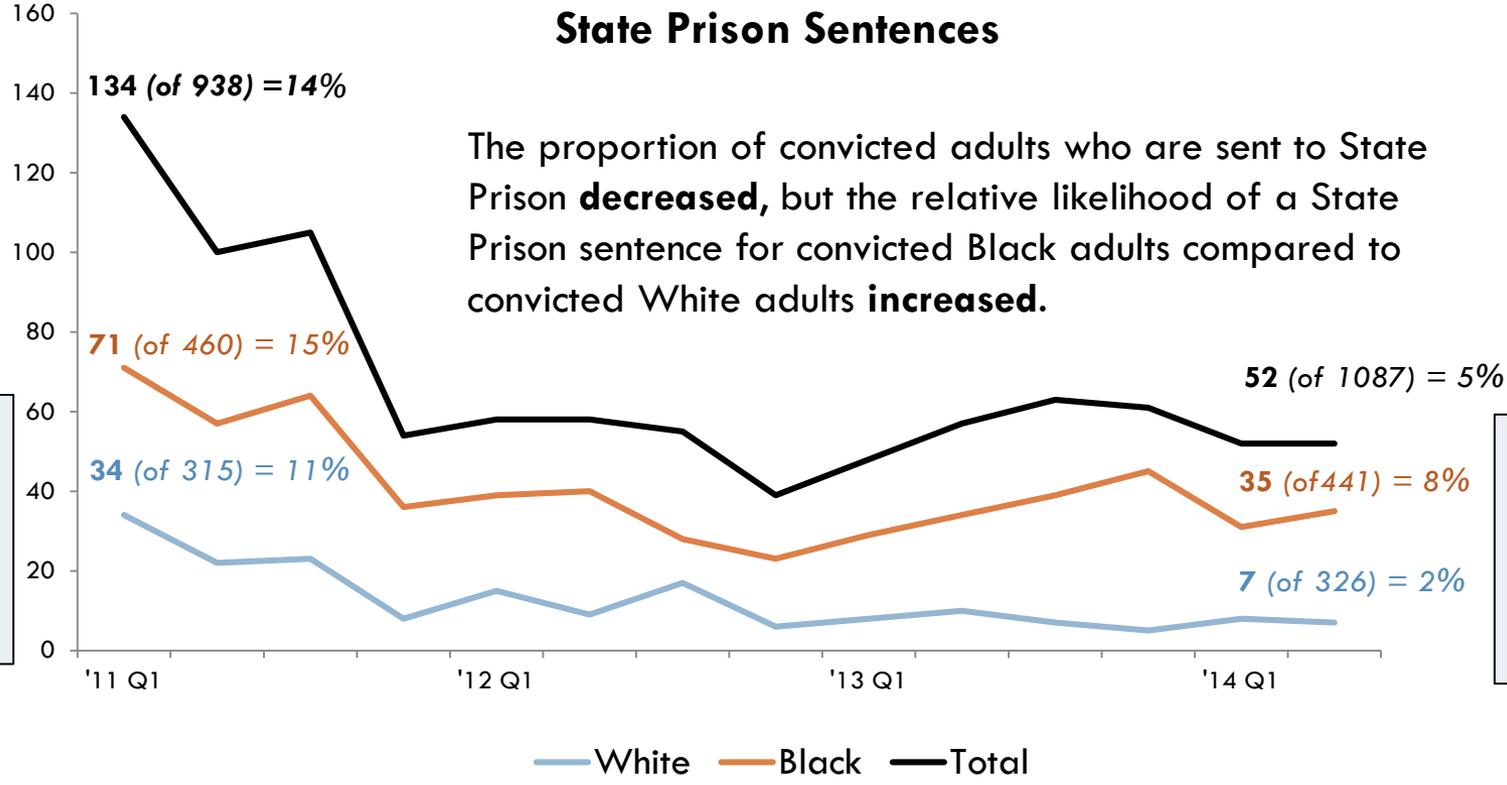
County Jail (days)	W	B	L	API	O	Total
N	64	238	33	4	13	352
Mean	86	151*	129	114	128	136
Median	43	120	74	92	120	91

\* Statistically significant (p=.05).

# State Prison Sentences have Decreased for All Groups

(Q1 2011-Q2 2014)

### State Prison Sentences



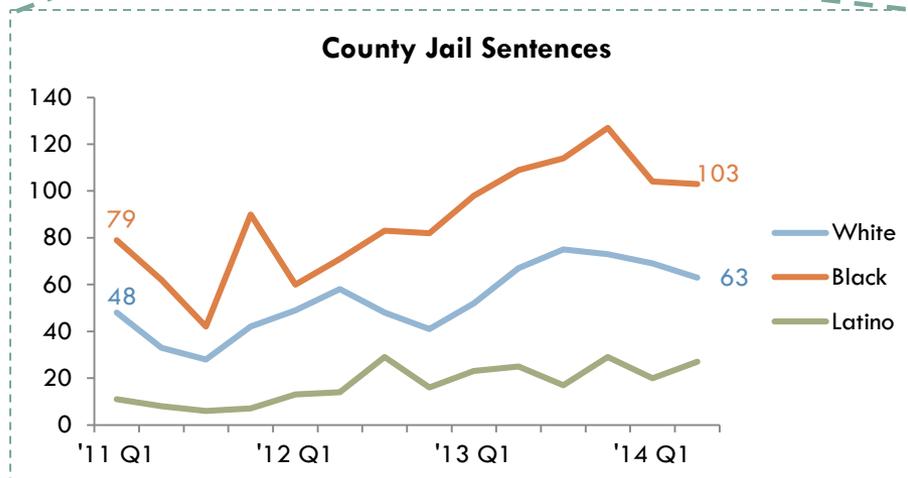
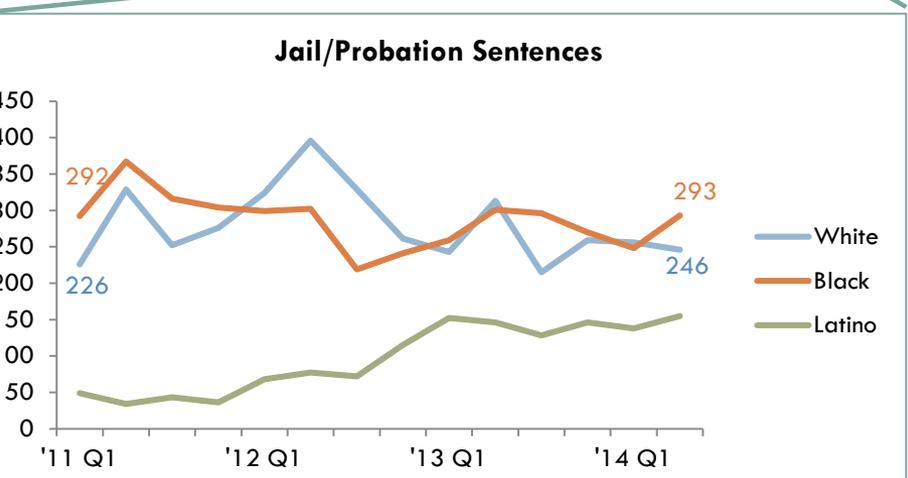
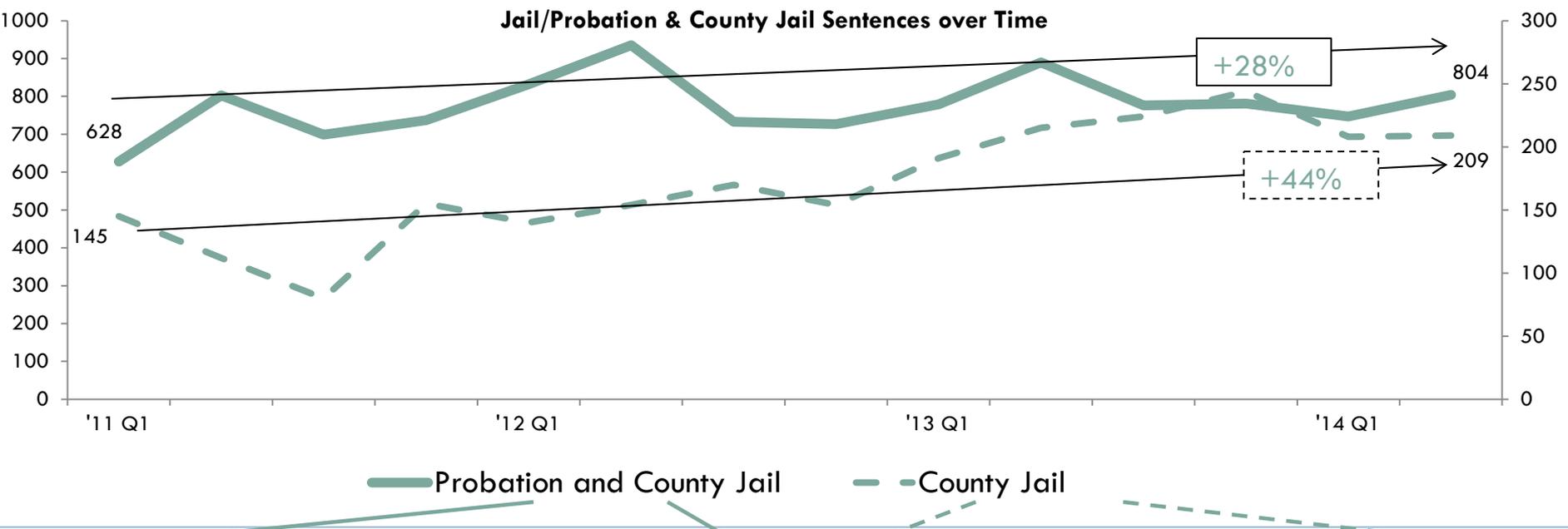
The proportion of convicted adults who are sent to State Prison **decreased**, but the relative likelihood of a State Prison sentence for convicted Black adults compared to convicted White adults **increased**.

**Q1 2011:** Black adults made up 53% of all State Prison Sentences.

**Q2 2014:** Black adults made up 67% of all State Prison Sentences.

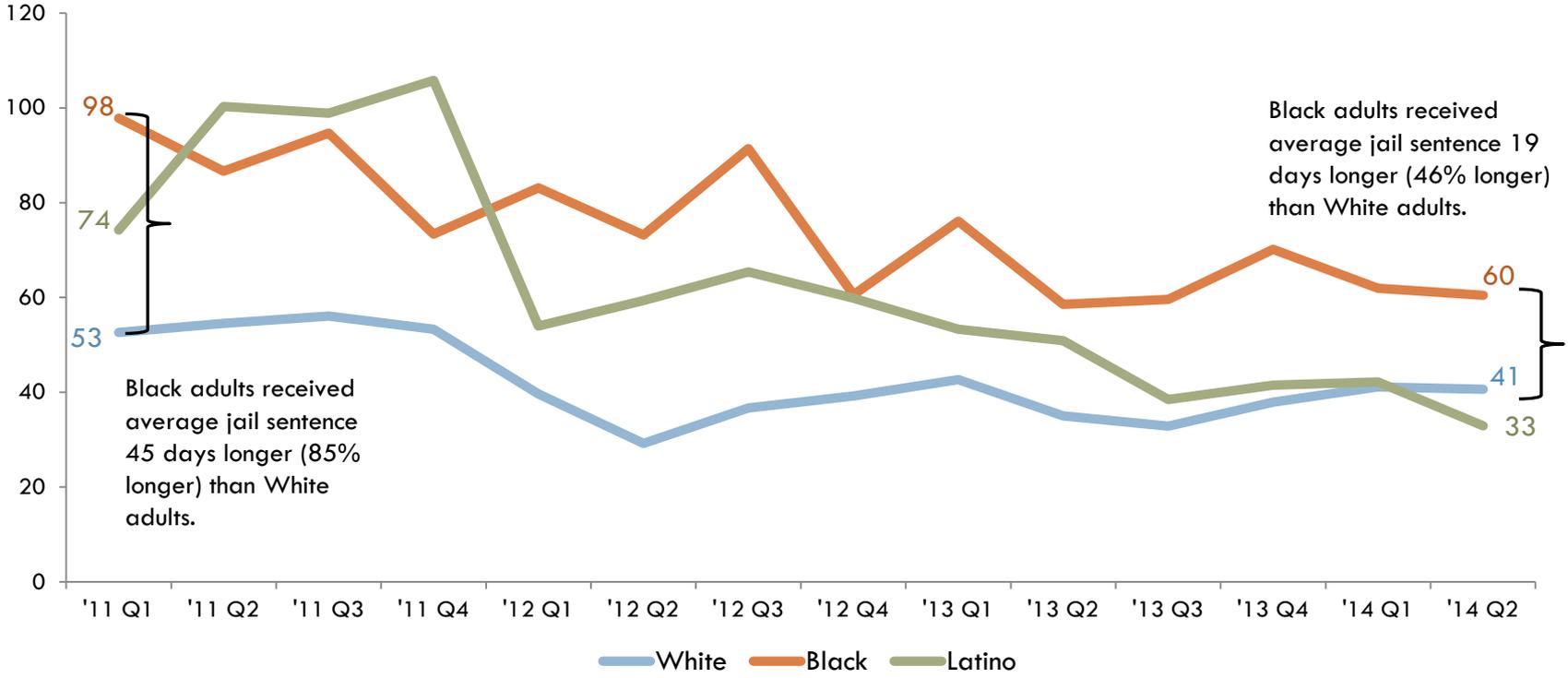
- Q1 2011: Convicted Black adults are **1.4 times as likely** as convicted White adults to be sentenced to Prison.
  - In Q1 2011, 11% of convicted White adults and 15% of convicted Black adults were sentenced to State Prison.
- Q2 2014: Convicted Black adults are **nearly 4 times as likely** as convicted White adults to be sentenced to Prison.
  - In Q2 2014, 2% of convicted White adults and 8% of convicted Black adults were sentenced to State Prison.

# Use of Jail/Probation Sentences and County Jail have Increased



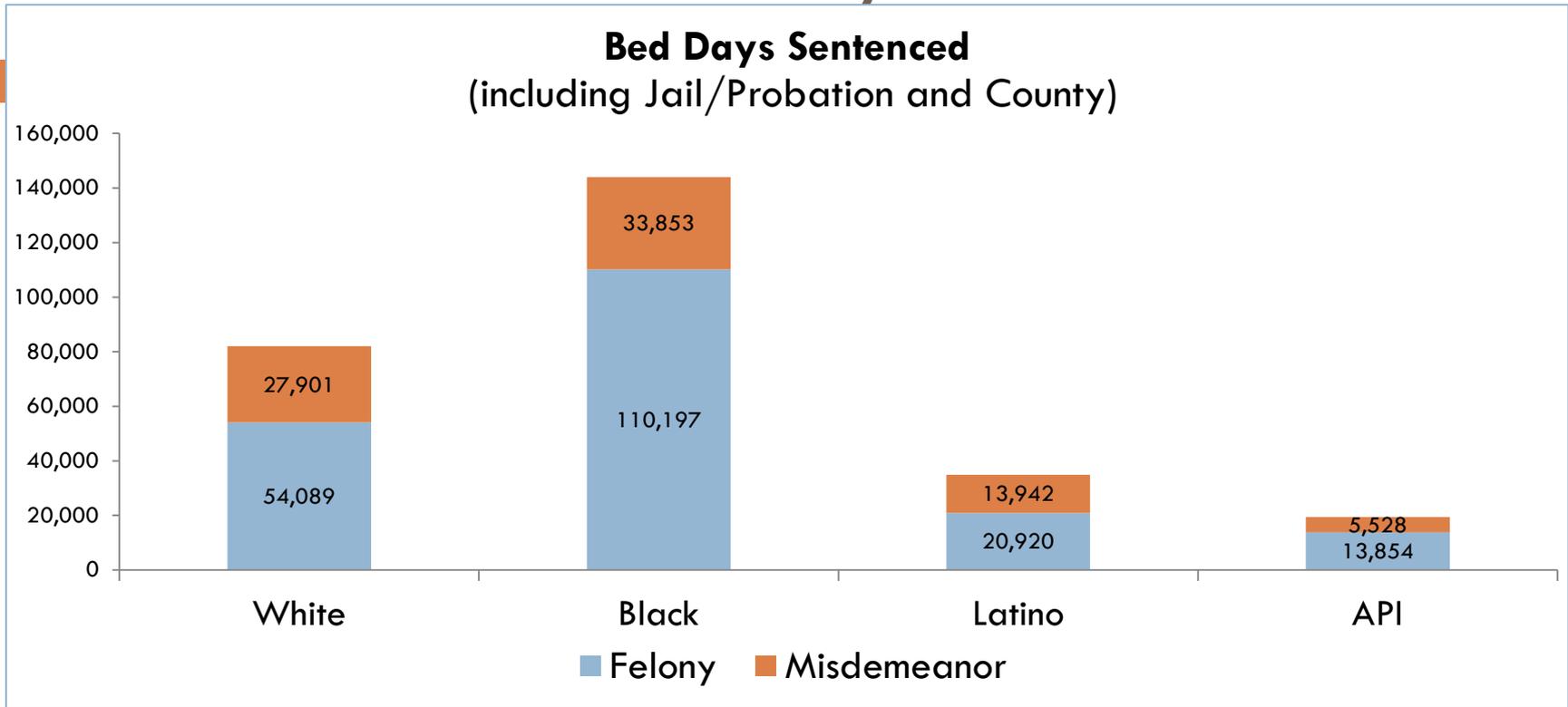
# Average County Jail Sentences in Jail/Probation Sentences have decreased over time, but are consistently longer for Black and Latino Adults

### Average Jail Time (in Days) for County Jail/Probation Sentences (Q1 2011-Q2 2014)



# Total Sentenced Bed Days (Q3 2013-Q2 2014)

41



- Between Q3 2013 & Q2 2014, there were **288,177 bed days sentenced** as the result of court sentences to jail (either through county jail alone (50%) or as a part of a jail/probation sentence (50%).
- Proportion of bed days:
  - White adults account for 28 % of sentenced bed days in the time period.
  - **Black adults account for 50% of sentenced bed days in the time period.**
  - Latino adults account for 12% of sentenced bed days in the time period.
  - API adults account for 12% of sentenced bed days in the time period.

# Next Steps/Recommendations

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- I. **Build data capacity/address data limitations**
  - A. Appropriate existing committees (CMS and/or JUSTIS) should review reports and prioritize recommendations; ad hoc committees may need to be created.
  - B. Consider: Protocols and Documentation; Creating a Data Dictionary; Staff Training; Modifications to Data Systems; Generating Regular Reports and Using Data.
  
- II. **Develop capacity to answer key questions BI was unable to answer due to data limitations. For instance\*:**
  - A. How do racial/ethnic disparities change when citations are included in arrests?
  - B. When bail is set, do defendants of color have higher bail amounts attached to their bail offer than White defendants? Are defendants of color less likely to post bail?
  - C. Are people of color more likely to plead guilty? Does the likelihood of a guilty plea increase for defendants who remain in custody pretrial?
  - D. Why are Motions to Revoke Probation or Parole filed? What are the outcomes of MTRs for clients of color?

\*Additional questions are included in the report. These are examples.

# Next Steps/Recommendations *cont.*

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- III. Develop a system of reporting key indicators of racial and ethnic disparities on a regular basis; BI recommends quarterly. See sample table below.

**Pretrial Release Decision by Risk Assessment Score**

		White	Black	Latino	Asian	Pacific Islander	Native American	Total
Total Booked in Jail	High Risk Score							
	Medium Risk Score							
	Low Risk Score							
	Not assessed for Risk							
Pretrial Release	High Risk Score							
	Medium Risk Score							
	Low Risk Score							
	Not assessed for Risk							
Release on Monetary Bail	High Risk Score							
	Medium Risk Score							
	Low Risk Score							
	Not assessed for Risk							
Remain in Jail	High Risk Score							
	Medium Risk Score							
	Low Risk Score							
	Not assessed for Risk							

- IV. Institutionalize a process for deliberating on the data regularly, with traditional and non-traditional stakeholders.

# Burns Institute Contact Information

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THE W. HAYWOOD

**BURNS INSTITUTE** FOR JUVENILE JUSTICE FAIRNESS & EQUITY

Attachment B



**SAN FRANCISCO JUSTICE REINVESTMENT INITIATIVE:  
RACIAL AND ETHNIC DISPARITIES ANALYSIS FOR THE REENTRY COUNCIL**

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## Introduction

### **W. Haywood Burns Institute and the Importance of Data**

The W. Haywood Burns Institute (BI) is a national non-profit organization that has worked successfully with local jurisdictions to reduce racial and ethnic disparities (R.E.D.) in the justice system by leading traditional and non-traditional stakeholders through a data-driven, consensus based process. It is BI's experience that local jurisdictions can implement successful and sustainable strategies that lead to reductions in racial and ethnic disparities at critical criminal justice decision-making points.

An essential component of reducing racial and ethnic disparities in the criminal justice system is the capacity to collect, analyze and use data. To target disparity reduction efforts, local stakeholders must have the ability to accurately identify the extent to which racial and ethnic disparities exist at key decision making points, which decision points exacerbate or mitigate the problem, and why people of color are involved at various points of contact in the justice system. To do so, system stakeholders and analysts must not only collect certain data, but they must know the appropriate data-related questions to ask to drive the work. Stakeholders and analysts must evaluate gaps in current data systems and the quality of the available data to assess their capacity to effectively identify and address disparities and sustain reductions. Finally, there must be an intentional process of deliberating on the data in collaborative meetings to drive policy.

BI encountered significant and repeated problems in using existing datasets to better understand disparities in San Francisco's criminal justice system. Data required to answer basic and fundamental questions about disparities were largely unavailable, or were in a format that required extensive clean up prior to analysis. This is troubling. If stakeholders are unable to understand the problem or review data on a regular basis, it will impede the development of appropriate policy solutions, and the sustainability of reform efforts. Importantly, the findings regarding the lack of data should serve as a call to action. If San Francisco is committed to reducing disparities, it must develop better data infrastructure to understand the problem.

This report is a first step in using available data to understand whether and to what extent racial and ethnic disparities exist at key decision making points. Despite the significant data access challenges, BI and San Francisco justice partners have confidence in the accuracy of the findings presented in this report.



## Background

In February 2011, the Reentry Council of The City and County of San Francisco (Reentry Council) submitted a letter of interest to the Bureau of Justice Assistance (BJA) to participate in the local Justice Reinvestment Initiative (JRI). In May 2011, following BJA's selection of San Francisco as a JRI site, the Crime and Justice Institute (CJI) at Community Resources for Justice (CRJ) began working with and providing technical assistance to the Reentry Council.

From CJI's presentations to the Reentry Council, and based on these preliminary findings, the Reentry Council identified three policy areas with potential for achieving cost savings and reinvestment opportunities:

1. **Eliminate disproportionality in San Francisco's criminal justice system**
2. Create a uniform early termination protocol for probation
3. Maintain and expand pretrial alternatives to detention

Reducing the disproportionate representation of people of color in San Francisco's criminal justice system remains a priority in JRI activities. Learning more about these disparities was a priority for Phase II.

In November 2014, CJI contracted BI to provide an analysis of whether and to what extent racial and ethnic disparities exist at the five following key decision making points:

- Arrest
- Bail and Pretrial Jail
- Pretrial Release
- Sentencing
- Motion to Revoke Probation (MTR)<sup>1</sup>

The analysis in this report describes the nature and extent of racial and ethnic disparities in the decision making points above. The analysis does not explore the causes of disparities. BI did not perform statistical analyses to isolate the extent to which race/ethnicity – rather than a variety of other factors – predicts justice system involvement. Additionally, the analysis does not explore the extent to which individual bias impacts the disproportionate representation of people of color in the justice system.

The disparities analysis was contingent upon availability of reliable data in an agreed-upon

Due to the data limitations, BI narrowed its analysis to answer the following questions:

1. Arrest
  - i. Are people of color more likely than White people to be arrested in San Francisco?
  - ii. Are there certain categories of offenses that people of color are more likely to be arrested for?
  - iii. How have racial and ethnic disparities in arrests changed from 2011 to 2014?
2. Booking to Jail (pretrial)
  - i. Are defendants of color booked into jail pretrial at higher rates than White defendants?
  - ii. Are there racial and ethnic disparities in rates of booking to jail when broken down by gender?
  - iii. What are the top resident zip codes of adults booked into jail pretrial?
3. Pretrial Release
  - i. Are defendants of color who meet the criteria for pretrial release less likely to be released on Own Recognizance (OR) than White defendants?
  - ii. At what stage in the pretrial process are defendants released? (example: prior to or by duty commissioner review, before arraignment, or by arraignment judge)
  - iii. How have racial and ethnic disparities in pretrial releases changed from 2011 to 2014?
4. Sentencing
  - i. What types of sentences do defendants receive?
  - ii. How long are the sentences?
  - iii. Are defendants of color more likely to receive more restrictive sentences than White defendants?
  - iv. What sentences do defendants receive for top convicted charges?
  - v. How have racial and ethnic disparities in sentencing changed from 2011 to 2014?

<sup>1</sup> Due to lack of data, the analyses regarding Motions to Revoke (MTR) were not possible.



format. As mentioned above, there were many limitations related to data availability and data integrity.<sup>2</sup> These limitations can be broken down into the following categories<sup>3</sup>:

- Unavailability of key data.
- Lack of information system protections.
- Incomplete fields in databases.
- Lack of clear protocols in data collection.
- Data not available in format conducive to analysis.
- Definitions of certain variables were misunderstood or outdated.

Despite the significant challenges, basic questions about racial and ethnic disparities were answered and are summarized in the next section.

Prior to the release of this report, local justice system partners in San Francisco had the opportunity to review and vet the findings for accuracy. Thus, while the analysis included is only a first step in identifying disparities, BI and San Francisco justice partners have confidence in the accuracy of the findings presented in this report.

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<sup>2</sup> The original list of questions the analysis sought to answer is included in Appendix A.

<sup>3</sup> BI submitted an additional report to the Reentry Council (“Summary of Data Challenges Encountered during Analysis of Racial and Ethnic Disparities in San Francisco’s Criminal Justice System”), which provides examples of these limitations. Our observations informed the data-related recommendations in this report.

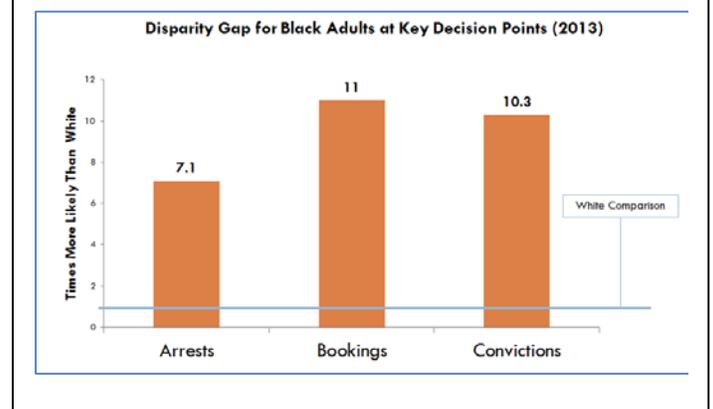
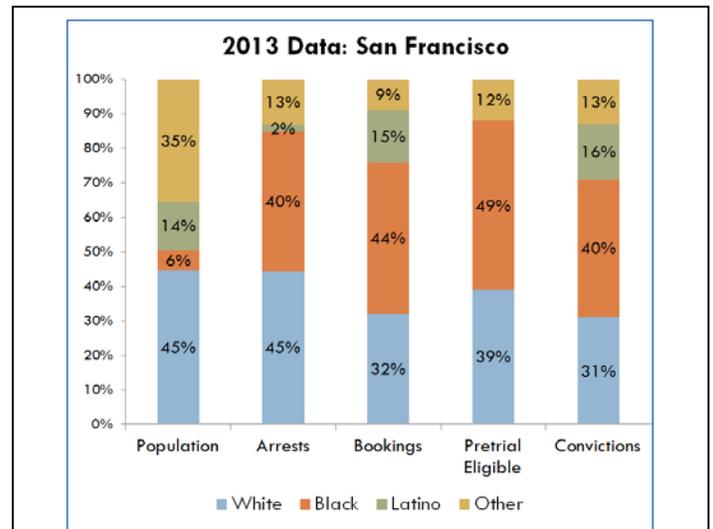
**Summary of Key Findings**

**Demographic Shifts in San Francisco:**

- Data indicate that San Francisco’s demographic make-up is changing. Between 1994 and 2013, the number of Black adults decreased by 21 percent. At the same time, the number of Latino adults increased by 31 percent.

**Disproportionality at Every Stage:**

- In 2013, there were a disproportionate number of Black adults represented at every stage of the criminal justice process. While Black adults represent only 6% of the adult population, they represent 40% of people arrested, 44% of people booked in County Jail, and 40% of people convicted.
- When looking at the relative likelihood of system involvement- as opposed to the proportion of Black adults at key decision points – disparities for Black adults remain stark. Black adults are 7.1 times as likely as White adults to be arrested, 11 times as likely to be booked into County Jail, and 10.3 times as likely to be convicted of a crime in San Francisco.



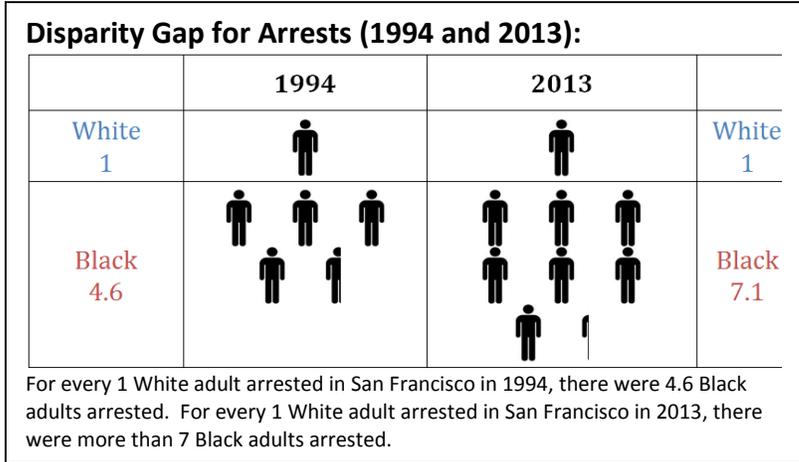
**Findings Regarding Data Capacity:**

- Data required to answer several key questions regarding racial and ethnic disparities were unavailable. As stakeholders move forward to more fully understand the disparities highlighted in the report, they will need to build capacity for a more comprehensive and system-wide approach to reporting data on racial and ethnic disparities.
- Lack of “ethnicity” data impeded a full analysis of the problem of disparities. Justice system stakeholders must improve their capacity to collect and record data on ethnicity of justice system clients. Lack of data regarding Latino adults’ involvement is problematic for obvious reasons—if we do not understand the extent of the problem, we cannot craft the appropriate policy and practice solutions. Additionally, when population data disregard ethnicity, and only focus on race, the vast majority of these “Hispanics” are counted as White. The result is a likely inflated rate of system involvement for White adults<sup>4</sup>, and an underestimation of the disparity gap between White and Black adults.

<sup>4</sup> Nationally, when population data disregard ethnicity, and only focus on race, the vast majority of these “Hispanics” (89%) would be identified as “White.”). Puzanchara, C., Sladky, A. and Kang, W. (2014). "Easy Access to Juvenile Populations: 1990-2013." Online Available: <http://www.ojjdp.gov/ojstatbb/ezapop/>

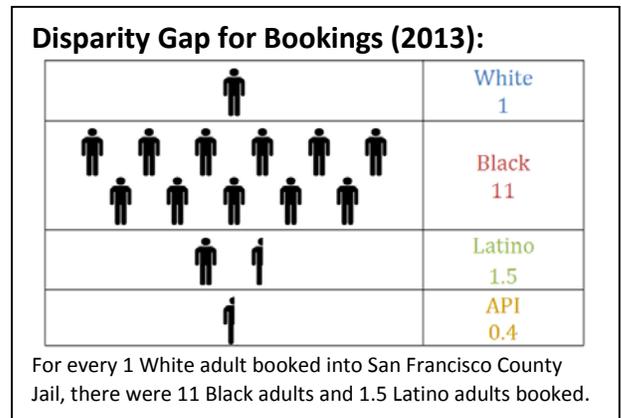
**Arrests:**

- In 2013, Black Adults in San Francisco were more than seven times as likely as White adults to be arrested.
- Despite a significant overall reduction in arrest rates in San Francisco, the disparity gap – relative rate of arrest for Black adults compared to White adults - is increasing.
- Whereas the disparity gap in arrests statewide is decreasing, the disparity gap in San Francisco is increasing.
- Rates of arrest are higher for Black adults than White adults for every offense category.
- Despite reductions in rates of arrest for drug offenses, the Black/White disparity gap increased for every drug offense category.



**Bookings to Jail (Pretrial):**

- Black adults in San Francisco are 11 times as likely as White adults to be booked into County Jail. This disparity is true for both Black men (11.4 times as likely) and Black Women (10.9 times as likely).
- Latino adults are 1.5 times as likely to be booked as White adults<sup>5</sup>.
- Booking rates for Black and Latino adults have increased over the past three years while booking rates for White adults have decreased.
- The top three residence zip codes of Black adults booked into County Jail were: 94102 (includes the Tenderloin), 94124 (Bayview-Hunters Point), and 94103 (South of Market).
- The top three residence zip codes for Latino adults booked into jail were: 94110 (Inner Mission/Bernal Heights), 94102 (includes the Tenderloin), and 94112 (Ingelside-Excelsior/Crocker-Amazon).
- A vast majority (83 percent) of individuals booked into jail in San Francisco had residence zip codes within the County. Overall, only 17 percent of individuals booked into jail had residence zip codes outside of San Francisco<sup>6</sup>.



**Pretrial Release:**

- Booked Black adults are more likely than booked White adults to meet the criteria for pretrial release<sup>7</sup>.

<sup>5</sup> Data on Latino adults booked into County Jail is likely an undercount. When population data disregard ethnicity, the vast majority of Hispanic/Latino people are identified as White. This results in an *inflated* rate of system involvement for White adults; and subsequently an *underestimation* of the disparity gaps between White/Black adults and White/Latino adults.

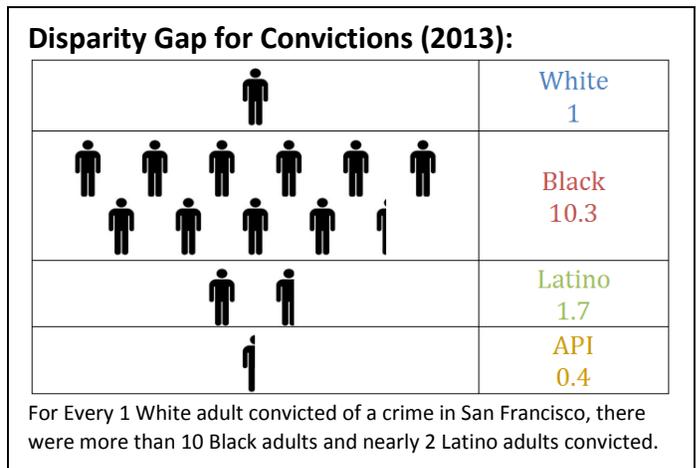
<sup>6</sup> Data regarding the homeless population was unavailable. Of the total 19,273 bookings in 2013, there were 3,973 (21%) that did not include a zip code. Some of these missing zip codes may be homeless adults who reside in San Francisco.



- Black adults are less likely to be released at all process steps: Black adults are less likely to receive an “other” release (i.e., cited, bailed, and dismissed); less likely than White adults to be released by the duty commissioner; and less likely to be granted pretrial release at arraignment.
- Rates of pretrial releases at arraignment are higher for White adults for almost every quarter.
- Out of all adults who meet the criteria for pretrial release (the entirety of the SFPDP database):
  - 39 percent of Black adults had prior felony(ies) compared to 26 percent of White adults, however, White adults with a prior felony were almost always more likely to be released at arraignment than Black adults with a prior felony;
  - 44 percent of Black adults had prior misdemeanor(s) compared to 45 percent of White adults, however, White adults with a prior misdemeanor were almost always more likely to be released at arraignment than Black adults with a prior misdemeanor; and
  - 62 percent of Black adults had a high school diploma or GED compared to 66 percent of White adults, however, White adults with a HSD/GED were almost always more likely to be released at arraignment than Black adults with a HSD/GED.

**Convictions/Sentencing:**

- For every White adult arrested and convicted in 2013, 1.4 Black adults were arrested and convicted.<sup>8</sup> (Due to lack of data about Latinos at arrest, no comparison of convictions to arrest was made for Latinos.)
- Black adults in San Francisco (in the general population) are ten times as likely as White adults in San Francisco (in the general population) to have a conviction in court.
- Latino adults in San Francisco (in the general population) are nearly twice as likely as White adults in San Francisco (in the general population) to have a conviction in court.<sup>9</sup>
- The vast majority of all people convicted are sentenced to Jail/Probation. Black adults with Jail/Probation sentences are more likely to receive formal probation than White adults. Whereas 31 percent of White Adults receive formal probation, 53 percent of Black adults did.
- Black adults are more likely to be sentenced to State Prison and County Jail alone and less likely to be sentenced to Jail/Probation than White adults.
- When they receive Jail/Probation sentences, Black adults are more likely to have a longer jail sentence than White adults.
- Over the course of the last year, there were 288,177 bed days as the result of court sentences to jail (either through County Jail alone or as a part of a Jail/Probation sentence). Black adults account for 50 percent of these sentenced bed days.



<sup>7</sup> Data for both Bookings and Pretrial eligible include the most recent year available (Q3 2013-Q2 2014). The data come from two distinct databases. Further analysis is needed to better understand this finding. For example, White adults may be more likely to be cited out and are therefore not included as “eligible” for pretrial release, and protocol for identifying “ethnicity” in the two information systems may not be consistent.

<sup>8</sup> When population data disregard ethnicity, the vast majority of Hispanic/Latino people are identified as White. This results in an *inflated* rate of system involvement for White adults; and subsequently an *underestimation* of the disparity gaps between White/Black adults and White/Latino adults.

<sup>9</sup> See note above. It is important to note this for all of the analyses in the conviction/sentencing section which compare White and Latino rates.



- Although more White adults are convicted on DUI charges with blood alcohol levels greater than or equal to .08 than Black adults, Black and Latino adults convicted of these charges are more likely to have a longer jail sentence (as part of a Jail/Probation sentence) than White adults.<sup>10</sup>
- Of all Black adults convicted, 6 percent were convicted of transporting or selling controlled substances; of all White adults convicted, only 1 percent was convicted of this charge. While the number of adults convicted of transporting or selling controlled substances has decreased substantially over the past 3 years, the proportion is consistently higher for Black adults.<sup>11</sup>
- Black adults convicted of transporting or selling controlled substances are more likely to be sentenced to State Prison than White adults convicted of the same offense.
- Black adults convicted of transporting or selling controlled substances are more likely to stay longer in County Jail as part of a Jail/Probation sentence.

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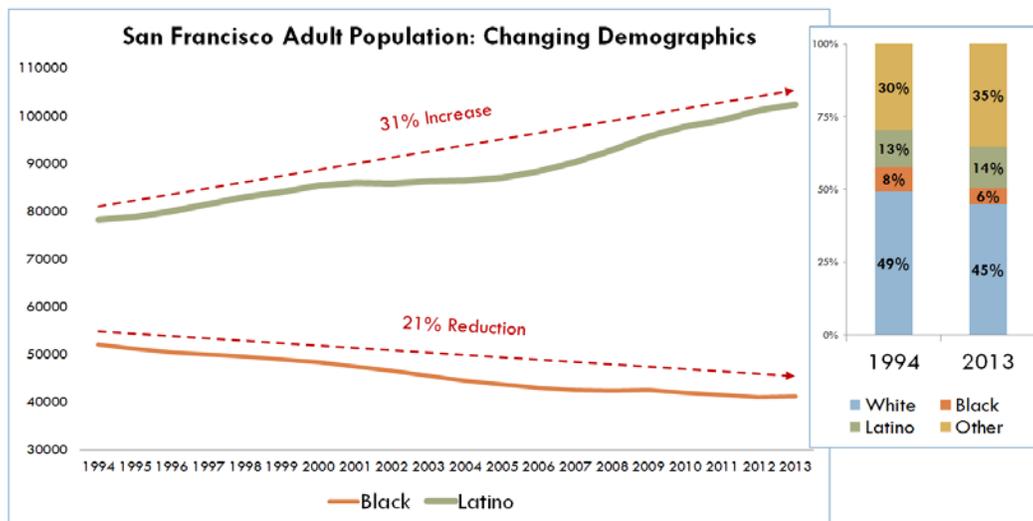
<sup>10</sup> Analysis of specific charges includes the entire timeframe, in order to increase the number of cases analyzed. The criminal code referenced here is VC 23152(b)/M.

<sup>11</sup> Analysis of specific charges includes the entire timeframe, in order to increase the number of cases analyzed. The criminal code referenced here is HS 11352(a)/F.

### San Francisco's Changing Demographics and Overrepresentation at Key Decision Points

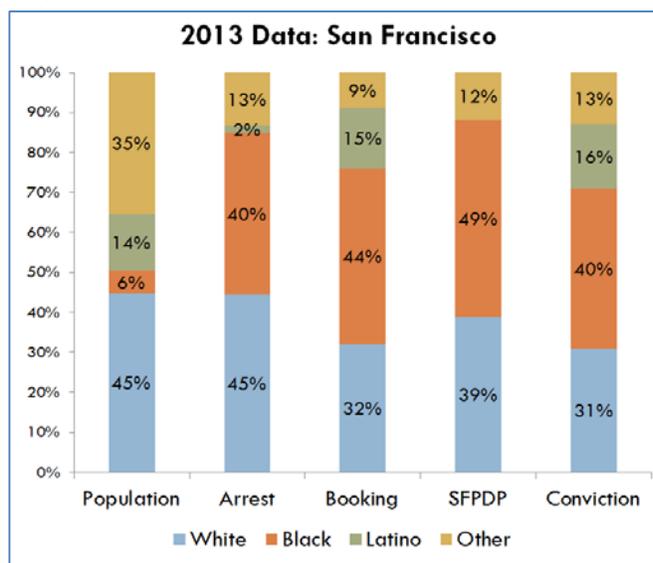
Data indicate that San Francisco's demographic make-up is changing. Between 1994 and 2013, the number of Black adults decreased by 21 percent. At the same time, the number of Latino adults increased by 31 percent.

The proportion of the adult population that is Black decreased from eight percent to six percent, and the proportion of the adult population that is Latino increased from thirteen percent to fourteen percent. While compared to White adults, Asian adults are underrepresented in criminal justice system involvement; the proportion of the population that is Asian has also increased, from 30 percent to 35 percent.



#### Latino Adults

The growing number of Latino adults in the County calls for a clear and consistent protocol for accurately identifying and recording ethnicity in all criminal justice information systems. As indicated in the Phase I findings, not only are Black adults disproportionately represented in the criminal justice system, race and ethnicity are inconsistently recorded in criminal justice departments' data systems. The lack of a standardized format for race and ethnicity data collection across criminal justice agencies makes it impossible to ascertain what disparities may or may not exist for all communities of color. As identified in Phase I of JRI, challenges include differences in the way race and ethnicity is recorded by law enforcement agencies leading to difficulties in comparing groups across the system. Since the issue has been identified, efforts have been made to improve properly identifying and recording race and ethnicity. However, as the analysis below describes, most of the existing information systems still lack data on ethnicity. As a result, the analysis of the extent to which Latino adults are involved in the criminal justice system is limited.



Although Latino adults represent 14 percent of the adult population, data indicates they represent only two percent of arrests and less than one percent of adults eligible for San Francisco Pretrial Diversion Program (SFPDP). While the proportion of Latino adults represented in booking and conviction data is higher, stakeholders BI worked with expressed concern that there is still work to be done to ensure they are using best practice for identifying and recording race *and* ethnicity.



Lack of data regarding Latino adults' involvement is problematic for obvious reasons—if we do not understand the extent of the problem, we cannot craft the appropriate policy and practice solutions. Additionally, when population data disregard ethnicity, and only focus on race, the vast majority of these “Hispanics” are counted as White. The result is a likely inflated rate of system involvement for White adults<sup>12</sup>, and an underestimation of the disparity gap between White and Black adults.

### **Black Adults**

Black adults are overrepresented at each stage of the criminal justice process investigated. In 2013, Black adults represented 6 percent of adults in the population, but they represented 40 percent of adult arrests; 44 percent of adults booked; 49 percent of adults eligible for SFPDP, and 40 percent of adults convicted.

### **Asian Pacific Islander and “Other” Adults**

Due to lack of consistent data, this analysis did not focus on Asian Pacific Islander (API) or “other” adults. Future disparities analyses should include these populations but must account for differences between subgroups within the larger API population. Historical, cultural and economic differences between groups of Asian and Pacific Islander immigrants to the United States often result in a wide variety of experiences and outcomes within American society, including interaction with and rates of involvement in the criminal justice system. Improved data collection on race and ethnicity will support this type of analysis.

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<sup>12</sup> (Nationally, when population data disregard ethnicity, and only focus on race, the vast majority of these “Hispanics” (89%) would be identified as “White.”) Easy Access to Juvenile Populations. <http://www.ojjdp.gov/ojstatbb/ezapop/>.

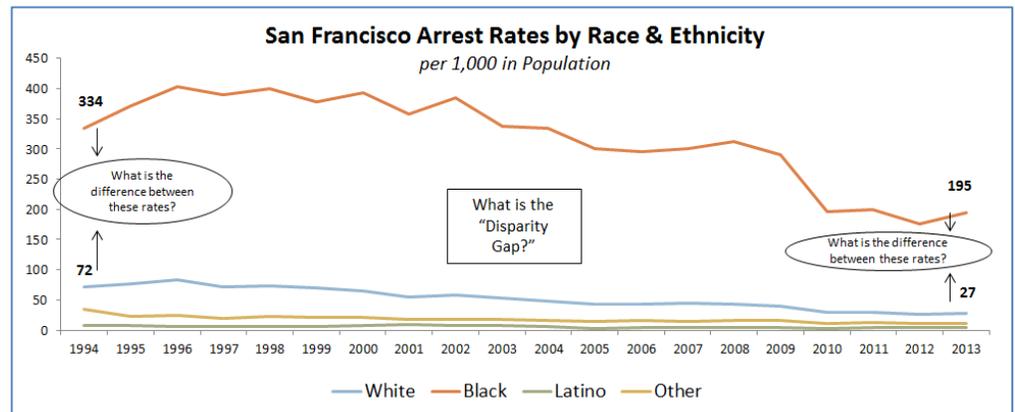
## Arrests

San Francisco Police Department (SFPD) was unable to provide data on the total number of arrests in San Francisco disaggregated by race and ethnicity. In lieu of local data from the Reentry Council member agencies, BI used the State of California Department of Justice (DOJ) “Monthly Arrest and Citation Register” (MACR) to compile data on arrests in San Francisco. An “arrest” using these data includes “any person taken into custody because an officer has reason to believe the person violated the law<sup>13</sup>.” When an individual is arrested for multiple charges, MACR captures only the most serious offense based on the severity of possible punishment. Importantly, these arrest data do not include cite and release interactions with police. To understand the full scope of racial and ethnic disparities at arrest, SFPD must build capacity to collect and report on all arrests and contacts.

### Key Findings

- In 2013, Black Adults in San Francisco were more than seven times as likely as White adults to be arrested<sup>14</sup>.
- Despite a significant overall reduction in arrest rates in San Francisco, the disparity gap – relative rate of arrest for Black adults compared to White adults - is increasing.
- Whereas the disparity gap in arrests statewide is decreasing, the disparity gap in San Francisco is increasing.
- Rates of arrest are higher for Black adults than White adults for every offense category.
- Despite reductions in rates of arrest for drug offenses, the Black/White disparity gap increased for every drug offense category.

Over the past two decades, arrest rates in San Francisco have decreased, but reductions for White adults outpaced Black adults. Between 1994 and 2013, arrests rates fell by 62 percent for White adults (from 72 arrests per 1,000 White adults in the



population to 27 arrests). During that same time, arrest rates fell by 42 percent for Black adults (from 334 arrests per 1,000 to 195 arrests).

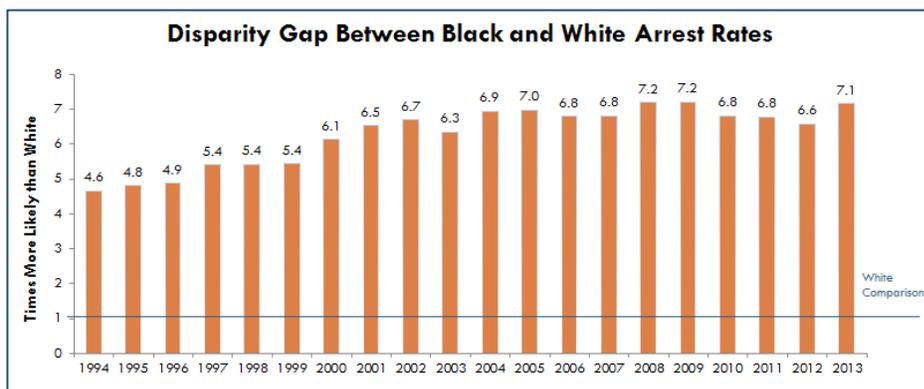
		1994	1998	2002	2006	2010	2013	Percent Change 1994-2013
White	# of Arrests	22,011	23,466	18,052	13,026	9,151	8,836	
	Rate per 1000	72	74	58	44	29	27	-62%
Black	# of Arrests	17,374	19,809	17,896	12,735	8,198	8,027	
	Rate per 1000	334	400	385	296	196	195	-42%

<sup>13</sup> California Department of Justice, Criminal Justice Statistics Center, Monthly Arrest and Citation Register (MACR) Data Files; CJSC published tables (accessed November 2014).

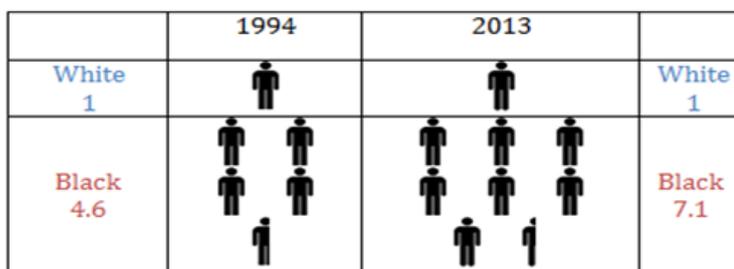
<sup>14</sup> When population data disregard ethnicity, the vast majority of Hispanic/Latino people are identified as White. This results in an *inflated* rate of system involvement for White adults; and an *underestimation* of the disparity gaps between White/Black adults and White/Latino adults.

**Disparity Gap in Arrests: San Francisco**

The result of different arrest rate reductions is that despite significant reductions in arrest rates, the disparity between Black and White adults has increased. In 1994, for every White adult arrested, 4.6 Black adults were arrested, but in 2013 for every White adult arrested, 7.1 Black adults were arrested.



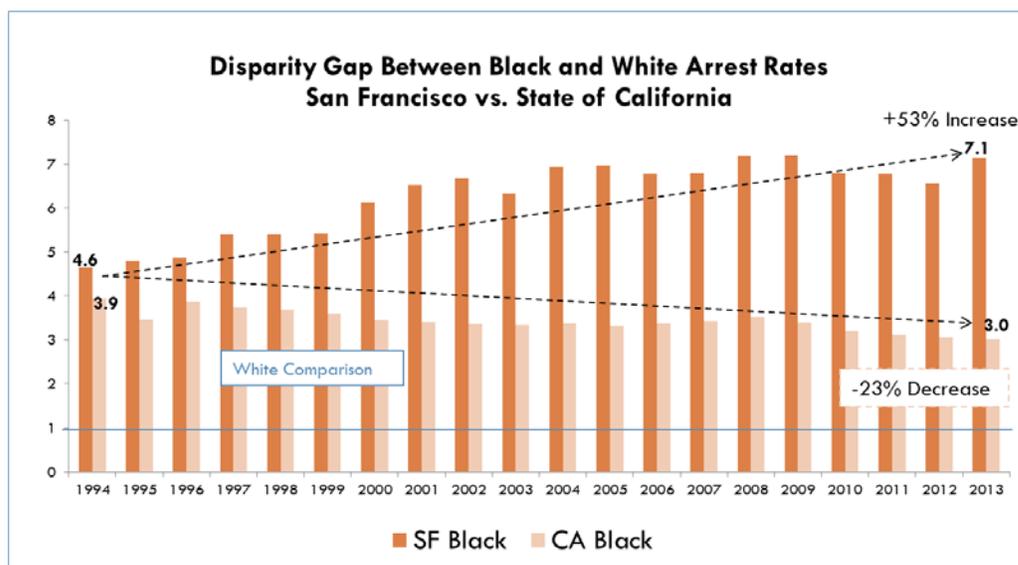
For every on 1 White adult arrested in 1994, 4.6 Black adults were arrested



For every on 1 White adult arrested in 2013, 7.1 Black adults were arrested.

**Disparity Gap: San Francisco Arrests Compared to State of California Arrests**

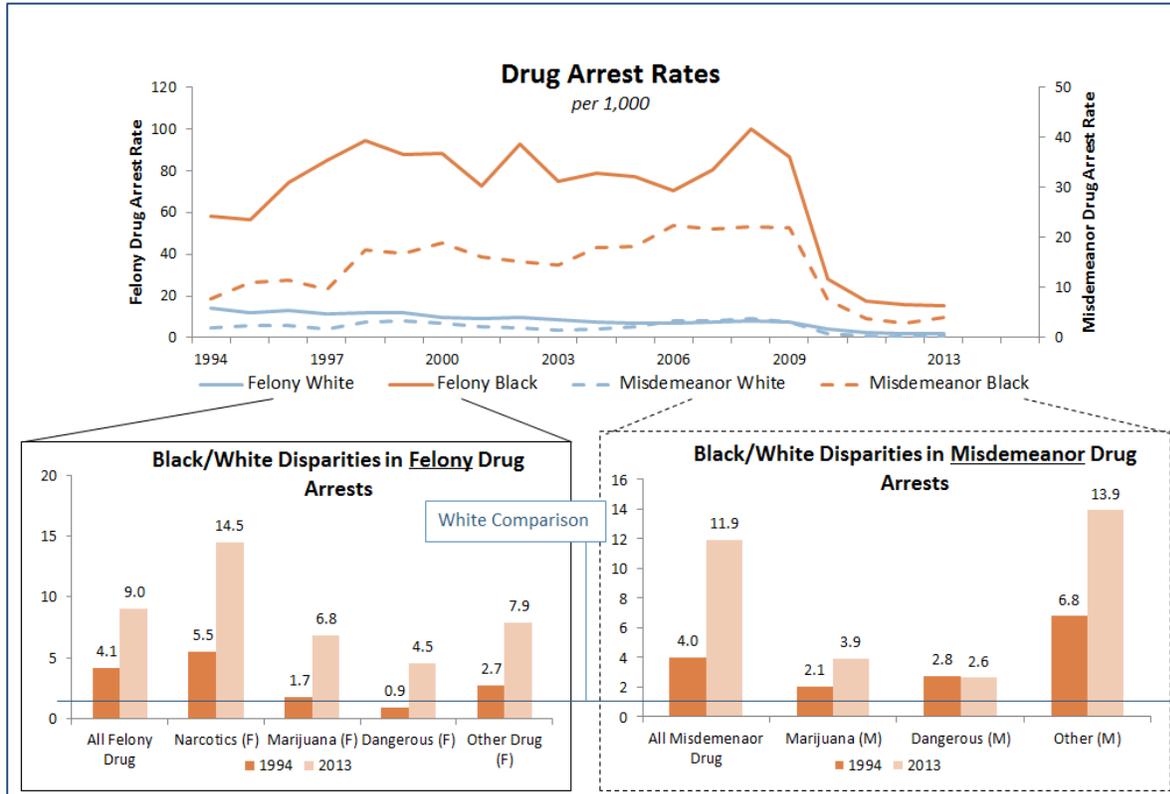
During the same time period that San Francisco’s disparity gap increased by 45 percent, from Black adults being 4.6 times as likely as White adults to be arrested to 7.1 times as likely, the disparity gap in arrest rates for the State of California decreased. Statewide, in 1994, Black adults were 3.9 times as likely as White adults to be arrested. In 2013, Black adults were 3 times as likely.



**Disparities in Drug Arrest**

Between 1994 and 2013, rates for felony drug arrests in San Francisco decreased by 88 percent for White adults (decreasing from 14.1 per 1,000 to 1.7) and by 74 percent for Black adults (decreasing from 58.5 per 1,000 to 15.5). During the same time, rates for misdemeanor drug offenses decreased by 85 percent for White adults (from 2 per 1,000 to 0.3 per 1,000), while rates for Black adults decreased by 48 percent (from 7.9 per 1,000 to 4.1).

The disparity gap between White and Black adult arrests has increased for almost every felony and misdemeanor drug offense.



A review of changes in the disparity gap for other offenses is available in Appendix B.



## Bookings to Jail (Pretrial)

When an adult in San Francisco is arrested or has violated the terms and conditions of his or her probation or parole, he or she may be booked into County Jail. The following analysis explores pretrial bookings to County Jail. Unfortunately, the analysis was restricted due to limited data.

For this analysis, BI used data from the Court Management System (CMS) and supplemented it with race and ethnicity data from the Sheriff Department's Jail Management System (JMS). The full time frame for the data analyzed is January 1, 2011 to June 30, 2014. Data required extensive clean up to answer the most basic questions about booking to pretrial jail. Many questions we were interested in exploring could not be answered. After we cleaned up the data,<sup>15</sup> there were 63,318 bookings to jail in the full time frame with data on race and ethnicity. In 2013, 19,273 cases included data on race and ethnicity.

### Key Findings

- Black adults in San Francisco are 11 times as likely as White adults to be booked into County Jail. This disparity is true for both Black men (11.4 times as likely) and Black Women (10.9 times as likely).
- Latino adults are 1.5 times as likely to be booked as White adults<sup>16</sup>.
- Booking rates for Black and Latino adults have increased over the past three years while booking rates for White adults have decreased.
- The top three residence zip codes of Black adults booked into County Jail were: 94102 (includes the Tenderloin), 94124 (Bayview-Hunters Point), and 94103 (South of Market).
- The top three residence zip codes for Latino adults booked into jail were: 94110 (Inner Mission/Bernal Heights), 94102 (includes the Tenderloin), and 94112 (Ingelside-Excelsior/Crocker-Amazon).
- A vast majority (83 percent) of individuals booked into jail in San Francisco had residence zip codes within the County. Overall, only 17 percent of individuals booked into jail had residence zip codes outside of San Francisco<sup>17</sup>.

The rate of booking to County Jail has increased in San Francisco over the past 3 years for people of color, but it has decreased for White adults. The rate of booking for Black adults increased from 191 per 1,000 in 2011 to 206 per 1,000 in 2013.

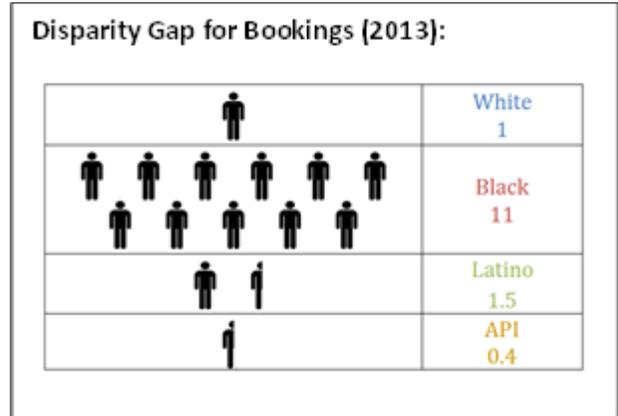
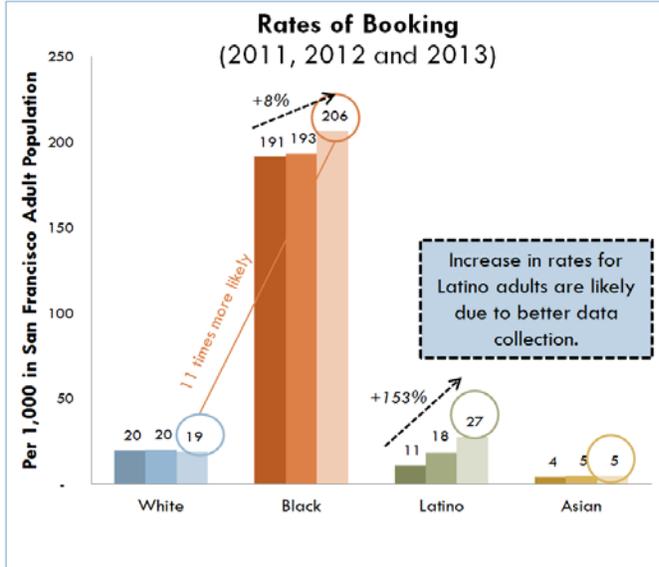
Data indicate that the rate of booking for Latino adults increased by 153 percent. The significant increase is likely due – in some part – to better data collection practices to identify ethnicity. However, the data should be explored further. In 2013, Black and Latino adults were more likely to be booked into County Jail than White adults. For every one White adult booked into jail, there were eleven (11) Black adults and one and a half (1.5) Latino adults.

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<sup>15</sup> The data clean-up process for the booking data is described in the separate report BI submitted regarding data challenges (“Summary of Data Challenges Encountered during Analysis of Racial and Ethnic Disparities in San Francisco’s Criminal Justice System”).

<sup>16</sup> Data on Latino adults booked into County Jail is likely an undercount. When population data disregard ethnicity, the vast majority of Hispanic/Latino people are identified as White. This results in an *inflated* rate of system involvement for White adults; and subsequently an *underestimation* of the disparity gaps between White/Black adults and White/Latino adults.

<sup>17</sup> Data regarding the homeless population were unavailable. Of the total 19,273 bookings in 2013, there were 3,973 (21%) that did not include a zip code. Some of these missing zip codes may be homeless adults who reside in San Francisco.

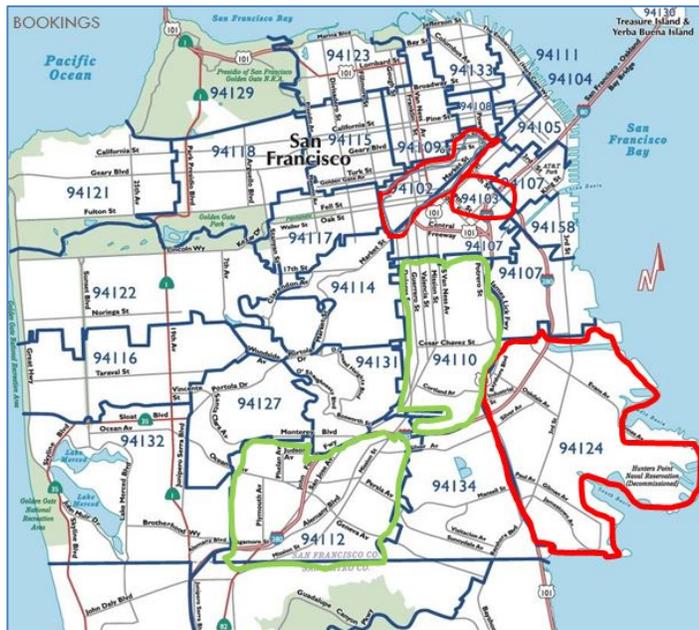
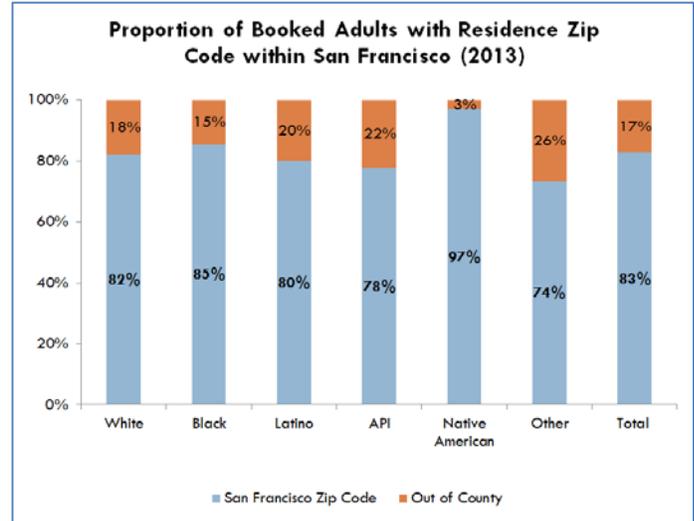


	White	Black	Latino	API	Nat. Am.	Other	Total
<b>2011 Pop.</b>	319,436	41,404	99,104	243,503	2,223	n/a	705,670
<b>2011 Booked</b>	6,269	7,920	1,072	1,012	62	603	16,938
<b>2011 Rate per 1,000</b>	<b>20</b>	<b>191</b>	<b>11</b>	<b>4</b>	<b>28</b>		<b>24</b>
<b>2012 Pop.</b>	322,713	41,094	101,132	249,203	2,234	n/a	716,376
<b>2012 Booked</b>	6,493	7,940	1,863	1,228	66	684	18,274
<b>2012 Rate per 1,000</b>	<b>20</b>	<b>193</b>	<b>18</b>	<b>5</b>	<b>30</b>		<b>26</b>
<b>2013 Pop.</b>	324,372	41,237	102,261	255,069	2,248	n/a	725,187
<b>2013 Booked</b>	6,095	8,508	2,803	1,203	82	582	19,273
<b>2013 Rate per 1,000</b>	<b>19</b>	<b>206</b>	<b>27</b>	<b>5</b>	<b>36</b>		<b>27</b>

**Zip Code Analysis**

BI explored the top residence zip codes of adults booked into County Jail pretrial. The vast majority of all adults booked in County Jail in San Francisco have a residence zip code within San Francisco (83 percent)<sup>18</sup>.

The top zip codes were different for Black and Latino adults, but 94102 was a top zip code for both. Exploring top zip codes where people who are booked into jail reside can help local stakeholders better understand existing services and programs in those areas, as well as service gaps and needs. Additionally, justice stakeholders can explore policies and practices that impact justice system involvement such as police deployment and locations of neighborhood courts.



	White	Black	Latino	API	Nat. Am.	Other	Total
<b>94102</b>	3177	<b>3939</b>	<b>675</b>	313	49	150	8303
<b>94124</b>	471	<b>3915</b>	386	237	8	115	5132
<b>94103</b>	1201	<b>1464</b>	301	129	12	74	3181
<b>94110</b>	1037	794	<b>909</b>	99	17	103	2959
<b>94112</b>	672	728	<b>541</b>	247	10	117	2315
<b>94109</b>	1123	752	160	149	11	67	2262

<sup>18</sup> Zip Code analysis is based on cases for which zip code was recorded (in 2013, 15,272 cases). Data regarding the homeless population was unavailable. Of the total 19,273 bookings in 2013, there were 3,973 (21%) that did not include a zip code. Some of these missing zip codes may be homeless adults who reside in San Francisco.



## Pretrial Release

Some defendants booked into County Jail are released pretrial. The types of release include release on own recognizance (OR), release to supervision programs operated by the San Francisco Pretrial Diversion Program (SFPDP), and other releases (released with a citation, case dismissal, bail posting, etc.). The mission of SFPDP is to facilitate, within various communities, positive and effective alternatives to fines, criminal prosecution, and detention.

### Key Findings

- Booked Black adults are more likely than booked White adults to meet the criteria for pretrial release<sup>19</sup>.
- Black adults are less likely to be released at all process steps: Black adults are less likely to receive an “other” release (i.e., cited, bailed, and dismissed); less likely than White adults to be released by the duty commissioner; and less likely to be granted pretrial release at arraignment.
- Rates of pretrial releases at arraignment are higher for White adults for almost every quarter.
- Out of all adults who meet the criteria for pretrial release (the entirety of the SFPDP database):
  - 39 percent of Black adults had prior felony(ies) compared to 26 percent of White adults, however, White adults with a prior felony were almost always more likely to be released at arraignment than Black adults with a prior felony;
  - 44 percent of Black adults had prior misdemeanor(s) compared to 45 percent of White adults, however, White adults with a prior misdemeanor were almost always more likely to be released at arraignment than Black adults with a prior misdemeanor; and
  - 62 percent of Black adults had a high school diploma or GED compared to 66 percent of White adults, however, White adults with a HSD/GED were almost always more likely to be released at arraignment than Black adults with a HSD/GED.

### Overview of Data

BI analyzed the data from the San Francisco Pretrial Diversion Project (SFPDP) database from the first quarter of 2011 to the second quarter of 2014. This analysis was done with the goal of answering the following questions<sup>20</sup>:

- Are defendants of color who meet the criteria for pretrial release less likely to be released on OR than White defendants?
- At what stage in the pretrial process are defendants released?
- How have racial and ethnic disparities in pretrial releases changed from 2011 to 2014?

The analysis was done in two parts: first a detailed look at the last full year of data received, quarter three of 2013 to quarter two of 2014, broken down by race and ethnicity; and second, three and a half year trends that looked at the relative release rates over time.

BI received four data files from SFPDP for 2011, 2012, 2013 and the first half of 2014. The full time frame of the data analyzed is January 1, 2011 to June 30, 2014. All four files were merged resulting in a single file of 26,657 cases. 161 cases (rows) were then deleted for lack of any data (blank), and 221 cases were excluded for lack of race and ethnicity data. The resulting number of valid cases is 26,496. For the last full year (quarter three 2013 to quarter two 2014), there are 7,840 valid cases.

<sup>19</sup> Data for both Bookings and Pretrial eligible include the most recent year available (Q3 2013-Q2 2014). The data come from two distinct databases. Further analysis is needed to better understand this finding. For example, White adults may be more likely to be cited out and are therefore not included as “eligible” for pretrial release, and protocol for identifying “ethnicity” in the two information systems may not be consistent.

<sup>20</sup> These questions were not the entirety of this analysis but after careful study of the available data and numerous communications with staff at SFPDP, the limitations within the information system and data became clear, resulting in a need to limit the scope of the analysis. See Appendix A for full list of questions.



### Limited Race and Ethnicity Data

In 2013, Latino adults represented 14.1 percent of the adult population in San Francisco. For the same year, the SFPDP data indicate that Latino adults represent only 0.2 percent of adults eligible for pretrial services. The relatively small numbers of Latinos, Asians, and Others in the SFPDP data make it difficult to identify meaningful trends.<sup>21</sup> Therefore only White/Black disparities will be analyzed.<sup>22</sup>

### Pretrial Release Overview

The following analysis includes only for Black and White adults.<sup>23</sup> The charts in this section show the number and respective percentage of the 6,801 individuals (3,118 White and 3,683 Black) as they proceeded through the various decision thresholds associated with pretrial release. The data indicate there was no disproportionality between White and Black adults who met criteria for pretrial release and were interviewed by SFPDP (both 85%). It should be noted that the 15 percent of White and Black adults who were not interviewed were not precluded from release at arraignment. Adults not interviewed by SFPDP are only precluded from being granted OR release by the duty commissioner, see Appendix C.

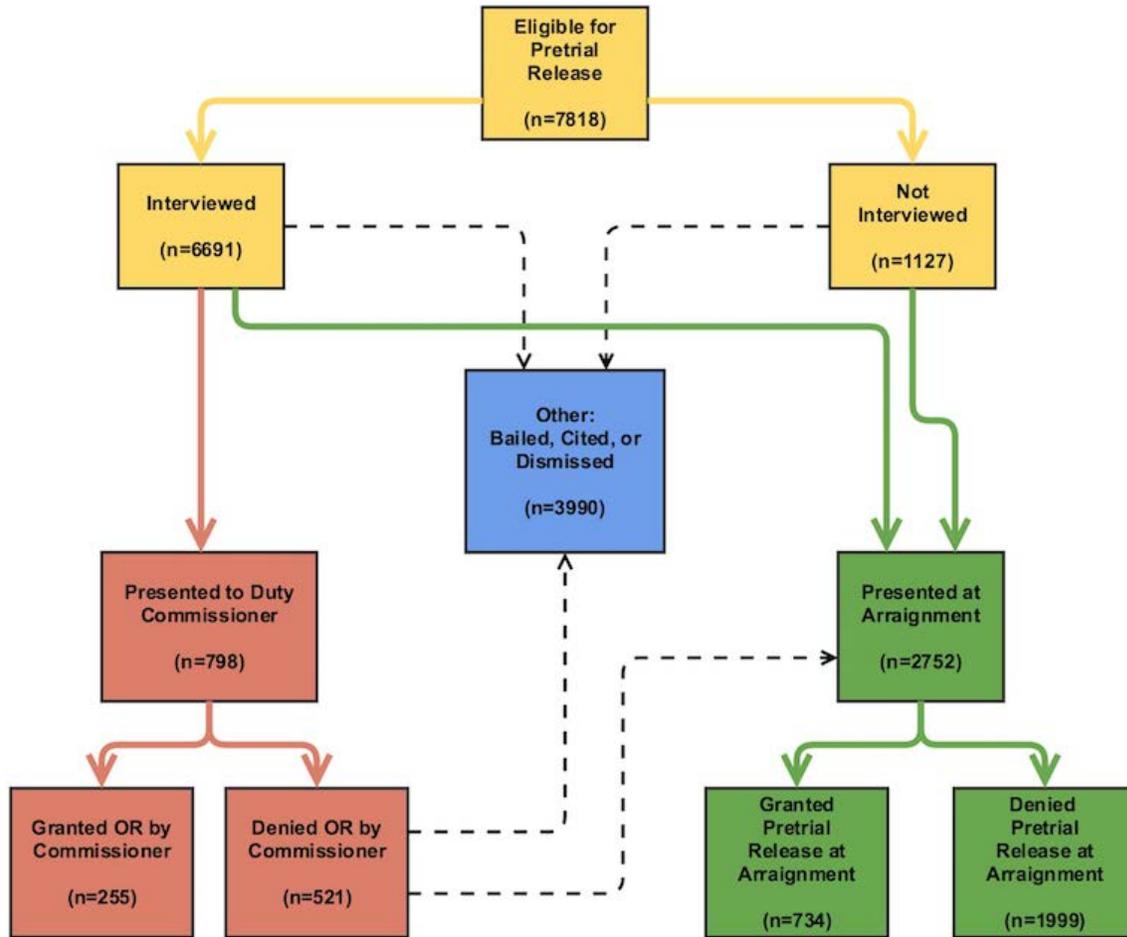
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<sup>21</sup> An analysis of racial and ethnic disparities depends heavily on the availability of relevant data at each stage with comparable population parameters. Counts, rates, and relative rate indices can fluctuate widely over time (e.g., year to year), especially with small case counts. When case counts are too low they tend to produce unreliable results. For example, in the last full year, there were only 25 Latinos (0.3%), 100 Asians (1.3%), and 892 “other” individuals (11.4%), compared to 3,118 Whites (40%) and 3,683 Blacks (47%). When these figures are broken down further into the various stages of the SFPDP process, the number of cases is even smaller. For example, of the 25 Latino individuals, five were presented to the duty commissioner. A comparison of what happened to those five individuals versus what happened to the 349 White individuals presented to the duty commissioner in the same time period would not yield meaningful results.

<sup>22</sup> Note: When population data disregard ethnicity, the vast majority of Hispanic/Latino people are incorrectly identified as White. This results in an *inflated* rate of system involvement for White adults; and subsequently an *underestimation* of the disparity gaps between White/Black adults and White/Latino adults. It is important to note this for all of the analyses in the arrest section which compare White and Black arrest rates.

<sup>23</sup> This section highlights outcomes from the last full year of data BI received, Quarter 3 of 2013 to Quarter 4 of 2014

### Pretrial Release Flow<sup>24</sup>

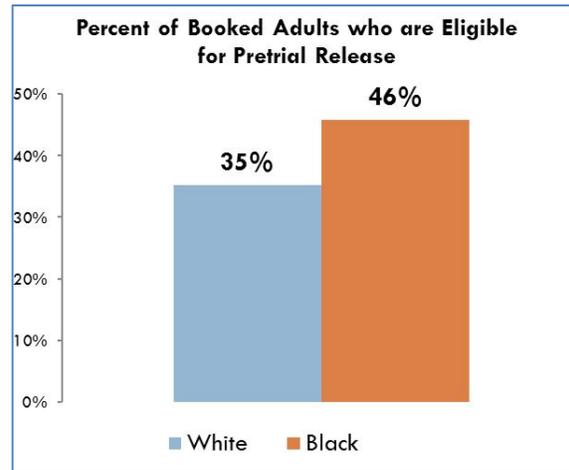


When adults booked into County Jail are identified as meeting the criteria for pretrial release (Eligible for Pretrial Release), they are interviewed to further assess appropriateness for pretrial release and SFPDP services. Once interviewed, their information packet may be presented to a duty commissioner where they may be granted or denied release on their own recognizance (OR). Adults who meet the criteria for pretrial release, but whose information is not presented to the duty commissioner or who are not granted OR by the duty commissioner may be granted or denied release at arraignment. In addition to those released by the duty commissioner or arraignment judge, adults may be released pretrial because their case was dismissed, they were cited out or they posted bail.

<sup>24</sup> Description of terms in this chart is included in Appendix C.

**Pretrial Release Compared to Bookings**

Black adults booked into San Francisco County Jail are more likely than White adults to be eligible for pretrial release. According to booking data, there were 5,940 White adults and 7,947 Black adults booked into County Jail during the most recent year. According to SFPD data, during the same time period, there were 3,118 White adults and 3,683 Black adults eligible for some form of pretrial release. By comparing these data, we can learn the proportion of adults booked that were eligible for pretrial release<sup>25</sup>.



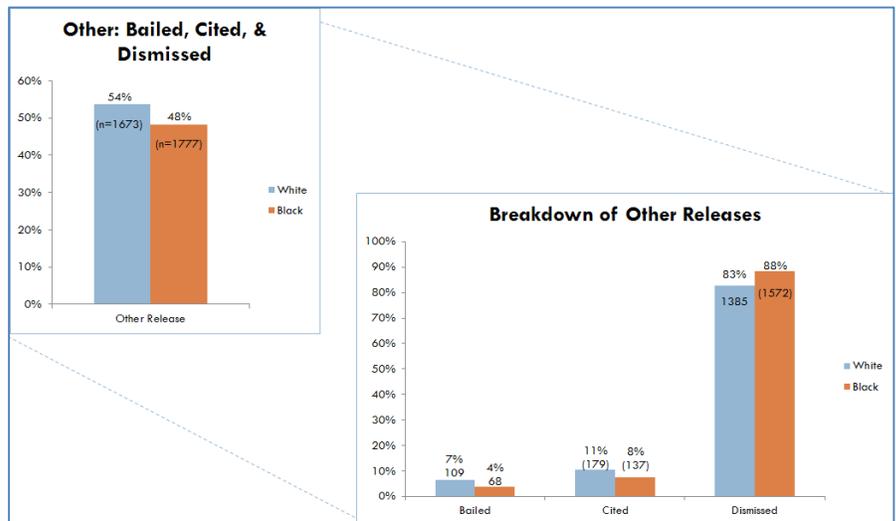
Whereas 35 percent of booked White adults were eligible for pretrial release, 46 percent of booked Black adults were eligible.<sup>26</sup>

Q3 2013-Q2 2014	White	Black
Bookings	5,940	7,947
Pretrial Release Eligible	3,118	3,683
% of Booked Adults Eligible for Pretrial Release	35%	46%

**Other Release: Bailed, Cited, and Dismissed**

The data indicate that 51 percent of all cases that met the criteria for pretrial release were released under the “other releases” category. The proportion of White adults who met the criteria for pretrial release who were released in the “other” category (54%) was higher than the proportion of Black adults that met the criteria for pretrial release who were released under “other” (48%).

The vast majority of these released adults had their cases dismissed. Black adults were more likely than White adults to have their case dismissed. White adults were more likely to post bail or be cited out than Black adults.



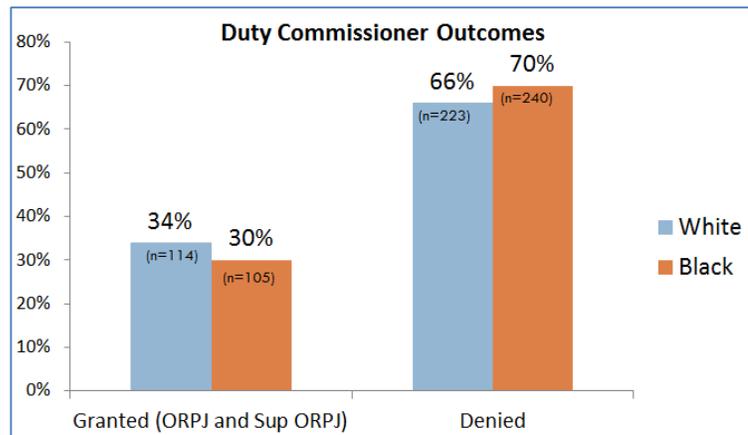
<sup>25</sup> Data for both Bookings and Pretrial eligible include the most recent year available (Q3 2013-Q2 2014). The data come from two distinct databases. Further analysis is needed to better understand this finding. For example, White adults may be more likely to be cited out and are therefore not included within “eligible” for pretrial release, and protocol for identifying “ethnicity” in the two information systems may not be consistent.

<sup>26</sup> Data for both Bookings and Pretrial eligible include the most recent year available (Q3 2013-Q2 2014). The data come from two distinct databases.

**Presented to Duty Commissioner**

Per Penal Code Section 1270.1, not everyone eligible for pretrial release or arraignment review is eligible for presentation to the duty commissioner. In the year analyzed, 682 people were presented to the duty commissioner.

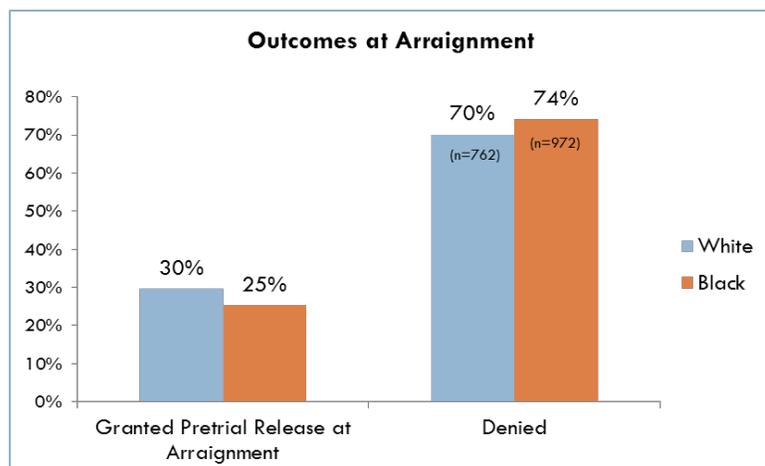
White adults presented to the duty commissioner were more likely to be granted OR than Black adults. Thirty-three (33) percent of White adults presented to the duty commissioner were granted OR compared to 30 percent of Black adults presented.<sup>27</sup>



**Presented at Arraignment**

Sixty five percent of adults eligible for pretrial release were released prior to arraignment. Adults who meet pretrial release criteria, and who have not yet been released, are presented at arraignment.

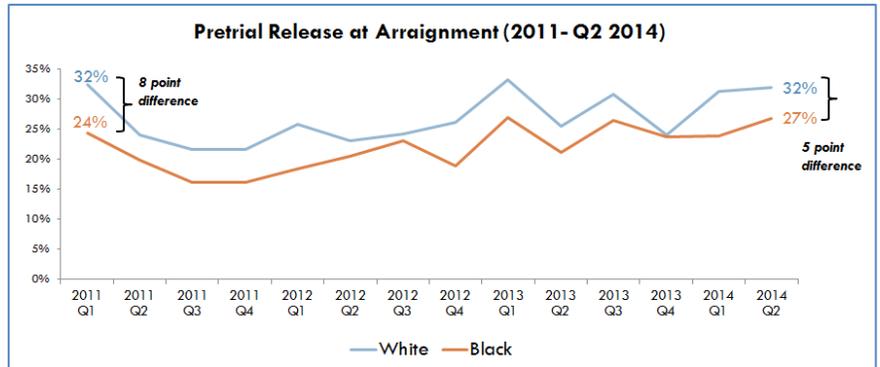
Black adults were less likely to be granted pretrial release at arraignment. Whereas 30 percent of White adults were released at arraignment, only 25 percent of Black adults were.



<sup>27</sup> See Appendix C for description of ORNF.

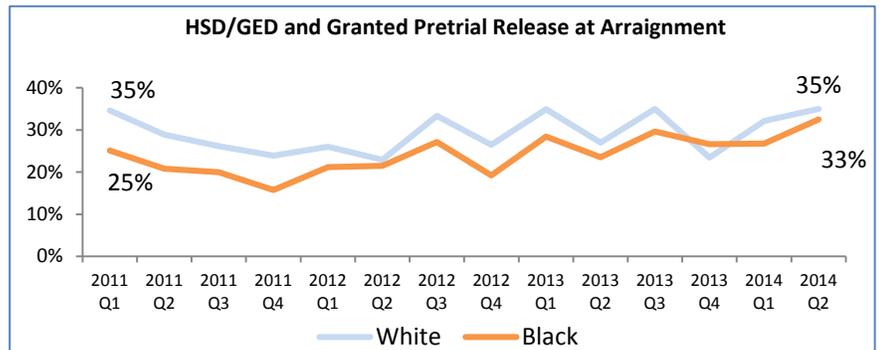
**Trends in Pretrial Releases at Arraignment**

White adults are consistently more likely to be granted pretrial release at arraignment than Black adults for nearly every quarter. In Quarter 1 2011, 24 percent of Black adults and 32 percent of White adults were granted pretrial release at arraignment. In Quarter 2 2014, the difference narrowed because a higher proportion of Black adults were granted pretrial release (27 percent), but White adults were still more likely to receive pretrial release.



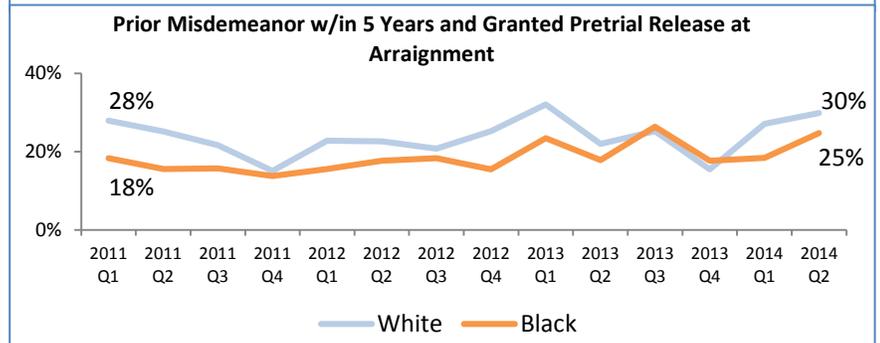
**Educational Status**

Out of all cases in the SFPDP database, 66 percent of White adults and 62 percent of Black adults in the full timeframe had a high school diploma (HSD) or a GED. However, when disaggregating data by educational status, White adults are still more likely to be released than Black adults in most quarters.



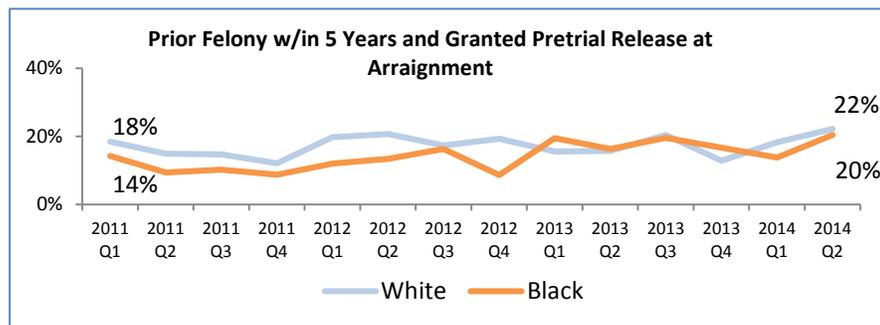
**Prior Misdemeanor Convictions**

Out of all cases in the SFPDP database, 45 percent of White adults and 44 percent of Black adults within the full timeframe had a prior misdemeanor within five years.<sup>28</sup> When limiting the pool of data to adults with a prior misdemeanor conviction within the last five years, White adults are still more likely to be released at arraignment than Black adults in most quarters.



**Prior Felony Convictions**

Out of all cases in the SFPDP database, 26 percent of White adults and 39 percent of Black adults within the full timeframe had a prior felony within five years. When limiting the pool of data to adults with a prior felony conviction within the last five years, White adults are still more likely to be released at arraignment than Black adults in most quarters.



<sup>28</sup> Not all prior convictions are San Francisco convictions.



## Sentencing

If the judge finds beyond a reasonable doubt that a person committed the alleged offense, the person is convicted and the judge imposes a sentence. The sentences included in this analysis include all adults sentenced, regardless of whether they were in custody pretrial.

### Key Findings

- For every White adult arrested and convicted in 2013, 1.4 Black adults were arrested and convicted.<sup>29</sup> (Due to lack of data about Latinos at arrest, no comparison of convictions to arrest was made for Latinos.)
- Black adults in San Francisco (in the general population) are ten times as likely as White adults in San Francisco (in the general population) to have a conviction in court.
- Latino adults in San Francisco (in the general population) are nearly twice as likely as White adults in San Francisco (in the general population) to have a conviction in court.<sup>30</sup>
- The vast majority of all people convicted are sentenced to Jail/Probation. Black adults with Jail/Probation sentences are more likely to receive formal probation than White adults. Whereas 31 percent of White Adults receive formal probation, 53 percent of Black adults did.
- Black adults are more likely to be sentenced to State Prison and County Jail alone and less likely to be sentenced to Jail/Probation than White adults.
- When they receive Jail/Probation sentences, Black adults are more likely to have a longer jail sentence than White adults.
- Over the course of the last year, there were 288,177 bed days as the result of court sentences to jail (either through County Jail alone or as a part of a Jail/Probation sentence). Black adults account for 50 percent of these sentenced bed days.
- Although more White adults are convicted on DUI charges with blood alcohol levels greater than or equal to .08 than Black adults, Black and Latino adults convicted of these charges are more likely to have a longer jail sentence (as part of a Jail/Probation sentence) than White adults.<sup>31</sup>
- Of all Black adults convicted, 6 percent were convicted of transporting or selling controlled substances; of all White adults convicted, only 1 percent was convicted of this charge. While the number of adults convicted of transporting or selling controlled substances has decreased substantially over the past 3 years, the proportion is consistently higher for Black adults.<sup>32</sup>
- Black adults convicted of transporting or selling controlled substances are more likely to be sentenced to State Prison than White adults convicted of the same offense.
- Black adults convicted of transporting or selling controlled substances are more likely to stay longer in County Jail as part of a Jail/Probation sentence.

The analysis of sentencing was intended to explore basic questions around potential racial and ethnic disparities in sentences for convicted adults in San Francisco, not to answer questions regarding why the disparities exist or where the responsibility for the disparities lies. The figure on the next page illustrates sentencing options.

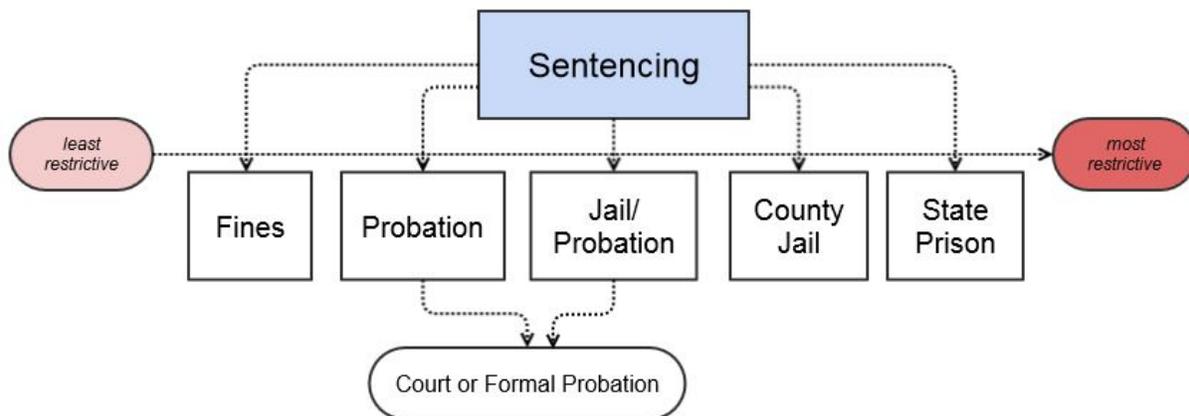
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<sup>29</sup> When population data disregard ethnicity, the vast majority of Hispanic/Latino people are identified as White. This results in an *inflated* rate of system involvement for White adults; and subsequently an *underestimation* of the disparity gaps between White/Black adults and White/Latino adults.

<sup>30</sup> See note above. It is important to note this for all of the analyses in the conviction/sentencing section which compare White and Latino rates.

<sup>31</sup> Analysis of specific charges includes the entire timeframe, in order to increase the number of cases analyzed. The criminal code referenced here is VC 23152(b)/M.

<sup>32</sup> Analysis of specific charges includes the entire timeframe, in order to increase the number of cases analyzed. The criminal code referenced here is HS 11352(a)/F.



In analyzing sentencing, BI answers the following questions:

- What types of sentences do defendants receive?
- How long are the sentences?
- Are defendants of color more likely to receive more restrictive sentences than White defendants?
- What sentences do defendants receive for the top convicted charges?
- How have racial and ethnic disparities in sentencing changed from 2011 to 2014?

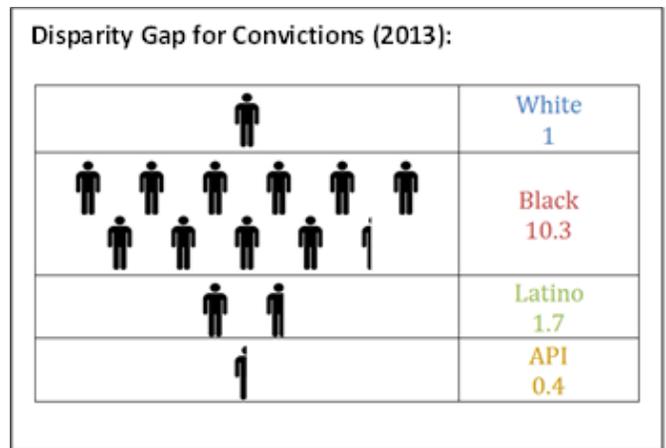
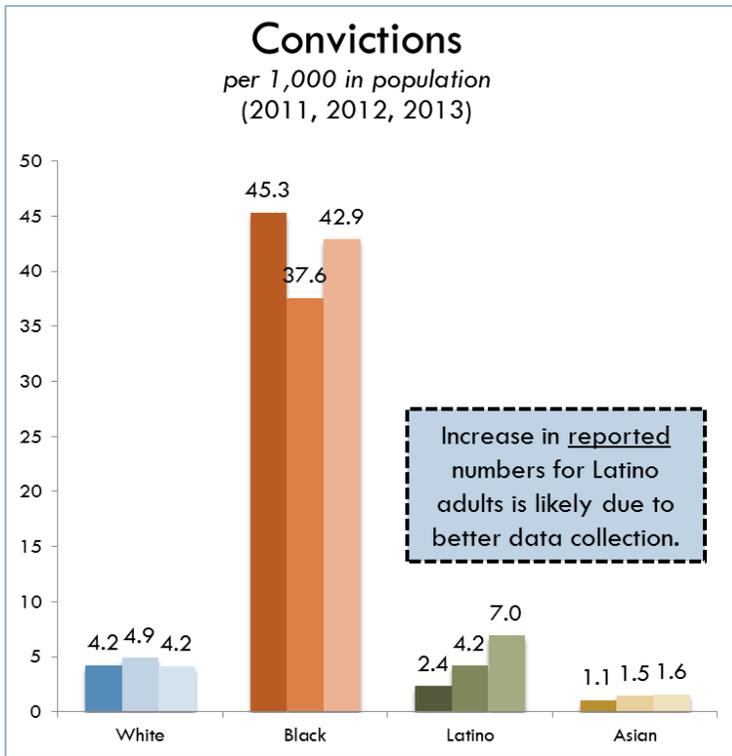
In answering these questions, BI used data from the Court Management System (CMS) and supplemented it with race and ethnicity data from the Sheriff Department's Jail Management System (JMS). The full time frame for the data analyzed is January 1, 2011 to June 30, 2014.<sup>33</sup>

### Disparity Gap in Convictions

In 2013, more than 10 Black adults were convicted for every White adult convicted in San Francisco. Almost two Latino adults were convicted for every White adult convicted. For every White adult arrested and convicted in 2013, 1.4 Black adults were arrested and convicted. (Due to lack of data about Latinos at arrest, no comparison of convictions to arrest was made for Latinos). The disparity gap in convictions between Black and White adults remains high, whether convictions are compared to arrests or to the total adult population.

Convictions per 1,000 in the population appear to be increasing quickly for Latinos, but this could be a reflection of changes in data collection practices. The number of convicted Latino adults increased by more than 200 percent between 2011 and 2013, rising from 235 to 711.

<sup>33</sup> There were a total of 18,621 convictions in this data set. The data required extensive clean up to answer the questions. This included removing 335 cases with no SF#, the only means of reliably identifying an individual, leaving 18,268 cases. BI was advised not use the "case disposition" field in the CMS data to inform its understanding of sentence types. Instead the four sentence types and length variables were used to create 15 unique combinations of sentences each with a unique code. Eight of these unique codes, representing 80 cases, were excluded because they appeared to be data entry errors. This left 18,206 valid cases; however, of these cases 3,588 (19.7%) were missing race and ethnicity data, leaving 14,618 cases with both an SF# and race and ethnicity data. In order to show the most recent information, pieces of this analysis limit the timeframe to the last full year of data, quarter 3 of 2013 to quarter 2 of 2014, which included 4,806 cases with valid data on race and ethnicity.



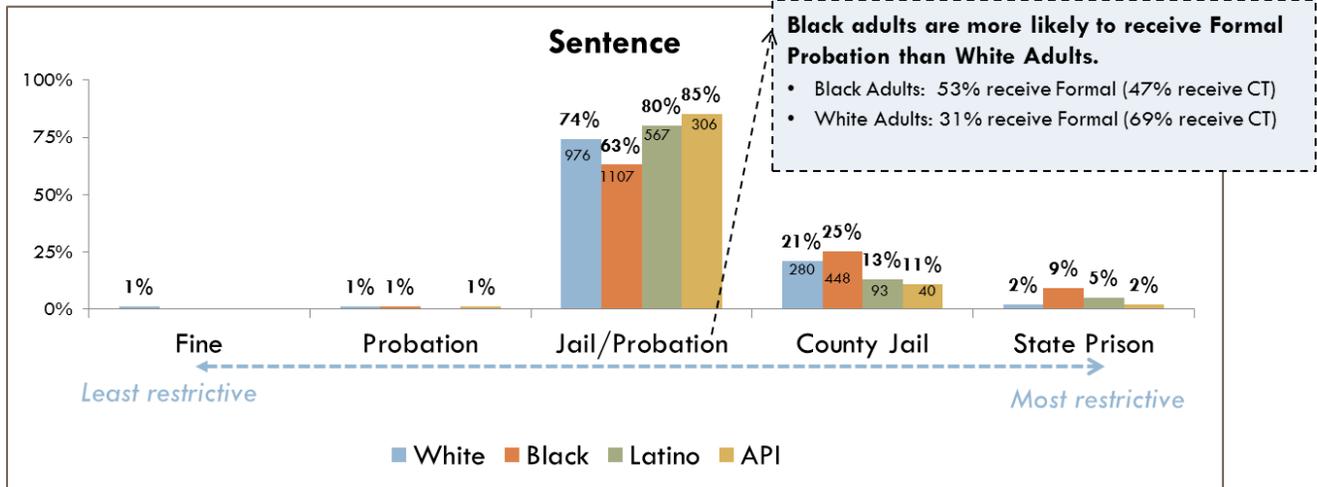
	White	Black	Latino	API	Native American
<b>2011 Population</b>	319,436	41,404	99,104	243,503	2,223
<b>2011 Convictions</b>	1,352	1,877	235	261	9
<b>2011 Rate per 1,000</b>	4.2	45.3	2.4	1.1	4.0
<b>2011 Disparity Gap</b>	1	10.7	.6	.3	1.0
<b>2012 Population</b>	322,713	41,094	101,132	249,203	2,234
<b>2012 Convictions</b>	1,588	1,544	426	370	6
<b>2012 Rate per 1,000</b>	4.9	37.6	4.2	1.5	2.7
<b>2012 Disparity Gap</b>	1	7.6	.9	.3	.5
<b>2013 Population</b>	324,372	41,237	102,261	255,069	2,248
<b>2013 Convictions</b>	1,355	1,769	711	406	24
<b>2013 Rate per 1,000</b>	4.2	42.9	7.0	1.6	10.7
<b>2013 Disparity Gap</b>	1	10.3	1.7	.4	2.6



**Sentence Types**

Black adults are more likely to be sentenced to State Prison and County Jail and less likely to be sentenced to Jail/Probation sentences than White adults.

Data shown is for the latest full year: Q3 2013-Q2 2014



The vast majority of all sentences were Jail/Probation. Convicted White adults were more likely than convicted Black adults to receive a Jail/Probation sentence. Whereas 74 percent of White adults received a Jail/Probation sentence, 63 percent of convicted Black adults were sentenced to Jail/Probation. For the probation portion of Jail/Probation sentence, Black adults were more likely to receive formal probation than Black adults. Fifty-three (53) percent of Black adults received Formal Probation and 47percent received Court Probation (a form of informal probation). In contrast, only 31 percent received Formal Probation and 69 percent of White adults received Court Probation. While BI was unable to determine who was eligible for Court vs. Formal Probation from the data received, a next step would be to examine who was *eligible* for Court Probation but *received* Formal (disaggregated by race and ethnicity).<sup>34</sup>

Convicted Black adults were more likely than convicted White adults to be sentenced to County Jail. Twenty-one (21) percent of White adults were sentenced to County Jail, whereas 25 percent of Black adults were sentenced to County Jail.

Convicted Black and Latino adults were also more likely than convicted White adults to be sentenced to State Prison. Whereas two (2) percent of convicted White adults were sentenced to State Prison, five (5) percent of Latino adults and nine (9) percent of Black adults were sentenced to State Prison.

<sup>34</sup> A variable to identify eligibility for Court Probation would need to be captured in the database.

**Sentence Length**

When they receive a Jail/Probation sentence, Black adults are more likely to have a longer jail sentence than White adults.

The tables below show mean and median sentences for Jail/Probation, County Jail, and State Prison sentences. The sentence lengths are further disaggregated by felony and misdemeanor offenses. Not surprisingly, the sentence lengths for felonies exceed the sentence length for misdemeanors.

Latest Full Year: Q3 2013 - Q2 2014	Mean Sentence				Median Sentence			
	Jail/Probation		County	Prison	Jail/Probation		County	Prison
	Probation	Jail (Days)	Jail (Days)	(Months)	Probation	Jail (Days)	Jail (Days)	(Months)
<b>White</b>	N=976		N=280	N=27	N=976		N=280	N=27
<b>Felony</b>	39.4	128.6	314.5	33.3	36	73	180	24
<b>Misdemeanor</b>	34.9	18.3	75.5	*	36	8	30	*
<b>Total</b>	35.7	38.3	160.3	33.3	36	10	60	24
<b>Black</b>	N=1,107		N=448	N=150	N=1,107		N=448	N=150
<b>Felony</b>	38.1	117.3	266	149	36	75	128	36
<b>Misdemeanor</b>	34.9	23.2	80.2	*	36	10	26	*
<b>Total</b>	36.3	62.9	166.1	149	36	20	71	36
<b>Latino</b>	N=567		N=93	N=37	N=567		N=93	N=37
<b>Felony</b>	39.2	110.3	282.5	37.2	36	71	210	36
<b>Misdemeanor</b>	36.5	19.8	78.9	*	36	10	30	*
<b>Total</b>	37.1	38.6	139.4	37.2	36	10	69	36
<b>Asian Pacific Islander</b>	N=306		N=40	N=7	N=306		N=11	N=7
<b>Felony</b>	38.9	129.7	334.2	46.7	36	62	365	30
<b>Misdemeanor</b>	35.9	15.3	85.2	*	36	7	180	*
<b>Total</b>	36.4	38.9	198	46.7	36	10	29	30

Jail/Probation sentences comprised 72 percent of all sentences in the latest year. The average number of days sentenced for White adults in the last year of data is 38 days in County Jail, compared to an average of 63 days for Black adults. The White-Black disparity persists when looking at the median; White adults have a median of ten days in County Jail compared to 20 days for Black adults.<sup>35</sup>

There did not appear to be disparities in lengths of probation in the Jail/Probation sentences. In the last full year, the mean sentence to probation ranged from 34.2 months to 37.1 months, and the median sentence was 36 months for all groups.

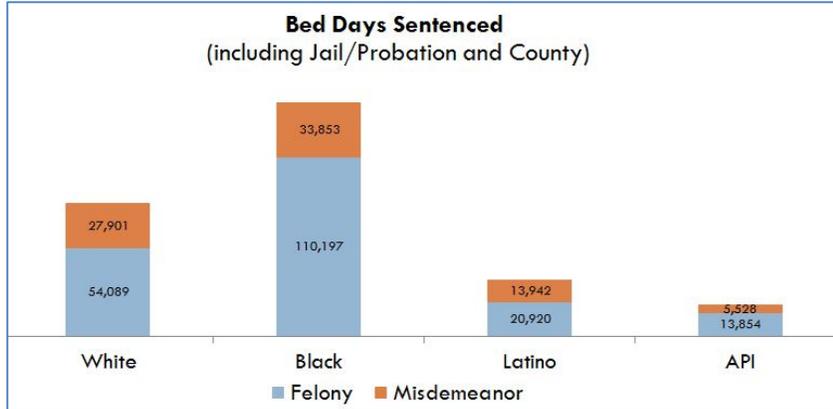
Black adults are more likely to receive a longer State Prison sentence than White adults. Whereas the average State Prison sentence for White adults was 33 months, the average for Black adults was 149 months. When looking at County Jail sentences alone, while the differences in sentences were not statistically significant, Black and Latino adults had longer sentences than White adults. Moreover, 68 percent of adults sentenced to County Jail in the last full year were people of color. This is cause for concern.

<sup>35</sup> The Mann-Whitney test was used to test significance in differences of median County Jail sentence length for Jail/Probation sentences and the results showed that there is a significant difference in the median jail sentence for Black and White adults. The Games-Howell Post Hoc test was used to determine if the differences in the mean sentences were significant, and the results showed that the mean sentence for Black adults is significant when compared to White.

**County Jail Bed Days**

Over the course of the last year, there were **288,177 sentenced bed days** as the result of court sentences to jail (either through county jail alone (50%) or as a part of a jail/probation sentence (50%)).<sup>36</sup>

- White adults account for 28 percent of sentenced bed days over the last year.
- **Black adults account for 50 percent of sentenced bed days over the last year.**
- Latino adults account for 12 percent of sentenced bed days over the last year.
- API adults account for 12 percent of sentenced bed days over the last year.



**Sentences for DUI (VC 23152(b)/M)**

DUI was selected for closer analysis because it is the top conviction charge.<sup>37</sup> In the full time frame, 14 percent of all convictions were for DUIs. The vast majority of sentences for DUI were Jail/Probation, comprising 98 percent of all sentences for DUIs.

DUI Sentences	White	Black	Latino	API	Nat. Am.	Other	Total
County Jail	11 (1%)	10 (4%)	9 (2%)	1 (0%)	1 (25%)	1 (1%)	33 (2%)
Probation	1 (0%)	0 (0%)	0 (0%)	3 (1%)	0 (0%)	0 (0%)	4 (0%)
Jail/Probation Jail (days)	White	Black	Latino	API	Nat. Am.	Other	Total
N	888	268	384	276	3	177	1,996
Mean	13	17	18	12	7	15	15
Median	7	8	10	5	5	5	8

Although more White adults are convicted on DUI charges<sup>38</sup> than Black adults, Black and Latino adults are more likely to have a longer County Jail

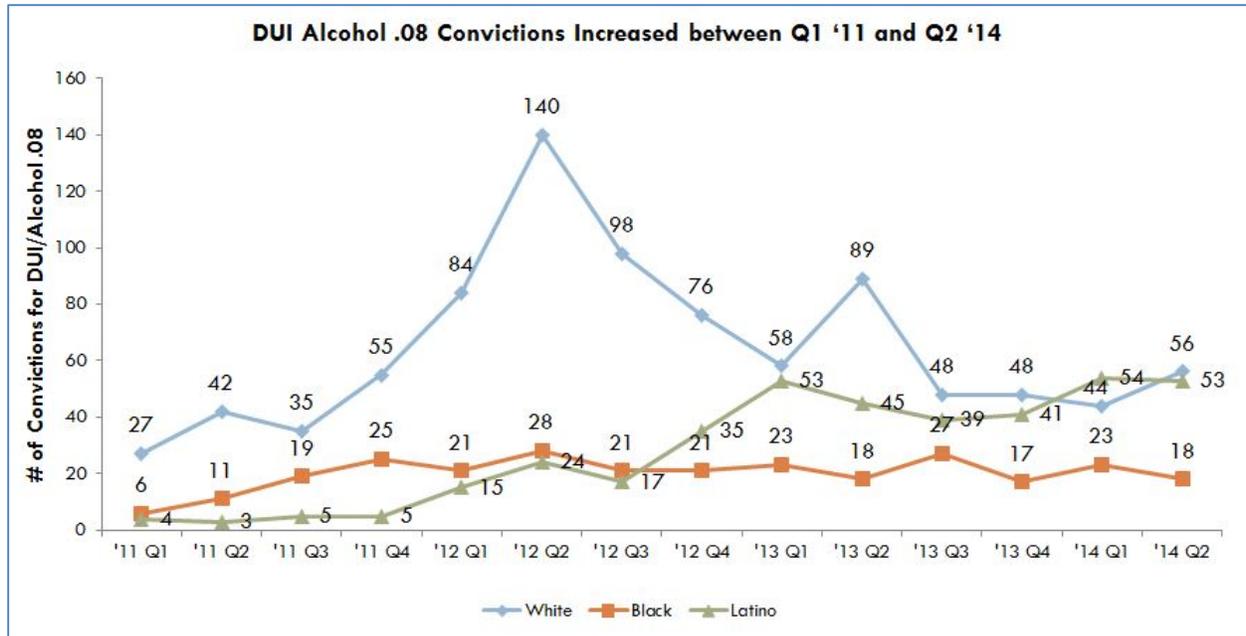
sentence (as part of a Jail/Probation sentence) than White adults. Whereas on average, Black and Latino adults were sentenced to 17 days and 18 days of County Jail, respectively, White adults were sentenced to 13 days County Jail.

Additionally, the number of DUI convictions has increased over time, signaling that this is an offense that is still relevant in San Francisco.

<sup>36</sup> This refers to sentenced bed days, not bed days served. The number of days served may be less than the number sentenced due to half time credits available for some convictions.

<sup>37</sup> See Appendix D for the top offenses for which people were convicted broken down by race and ethnicity.

<sup>38</sup> Analysis includes the entire timeframe, in order to include more cases. California code is VC 23152(b)/M, which is driving with a blood alcohol level greater than or equal to .08.



**Sentences for Transporting or Selling Controlled Substances (HS 11352(A)/F)**

In addition to analyzing DUIs, BI reviewed sentencing outcomes for adults convicted of felony transporting or selling controlled substances (Health and Safety Code 11352(A)). This offense was selected because it was the second most frequent offense for which Black adults were convicted. Of all Black adults convicted, 6 percent were convicted of transporting or selling controlled substances. Of all White adults convicted, only 1 percent was convicted of this charge.

Sentences for transporting or selling controlled substances—HS 11352(A)/						
	White	Black	Latino	API	Other	Total
County Jail	6 (8%)	53 (15%)	3 (7%)	4 (31%)	1 (6%)	67 (13%)
Jail/Probation	64 (90%)	238 (66%)	33 (77%)	4 (31%)	13 (81%)	352 (70%)
State prison	1 (1%)	38 (11%)	7 (16%)	2 (15%)	2 (13%)	50 (10%)
Suspended State Prison to Jail/Probation	0 (0%)	32 (9%)	0 (0%)	3 (23%)	0 (0%)	35 (7%)
<b>Total</b>	<b>71</b>	<b>361</b>	<b>43</b>	<b>13</b>	<b>16</b>	<b>504</b>

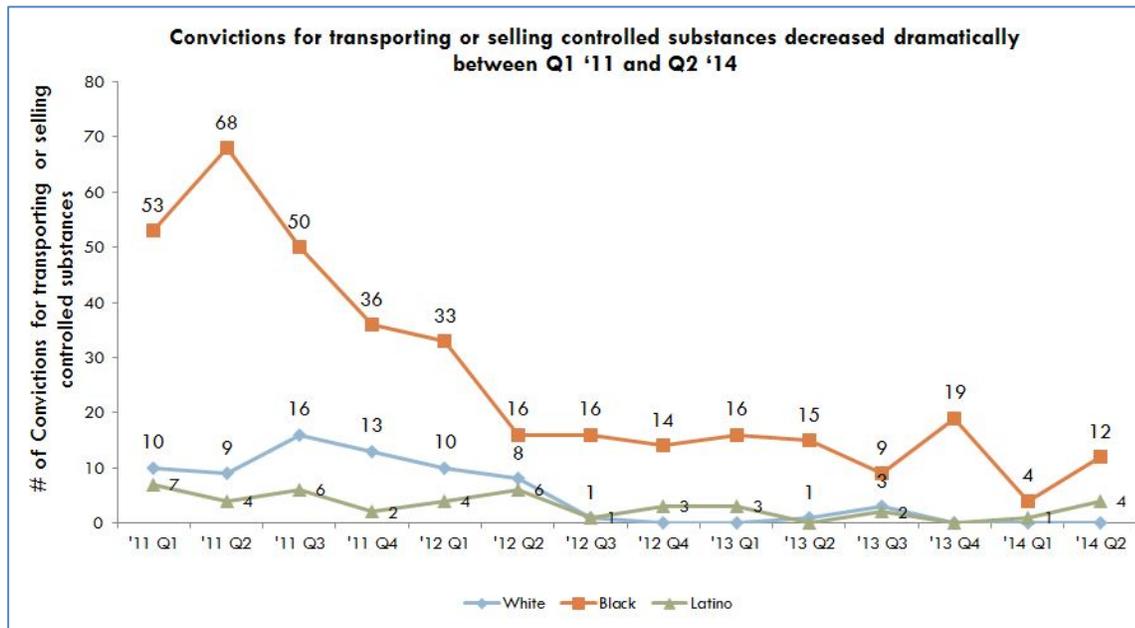
Black adults convicted of transporting or selling controlled substances<sup>39</sup> are more likely to stay longer in jail as part of a Jail/Probation sentence. While the number of adults convicted for transporting or selling controlled substances has decreased substantially over the past 3 years, the proportion is consistently higher for Black adults.

Jail/Probation Jail (days)	White	Black	Latino	API	Other	Total
N	64	238	33	4	13	352
Mean	86	151*	129	114	128	136
Median	43	120	74	92	120	91

<sup>39</sup> Analysis includes the entire timeframe, in order to include more cases. California code is HS 11352(A)/F.

White adults convicted of transport /sell narcotics are more likely to receive a Jail/Probation sentence than Black adults, 90 percent compared to 66 percent. The County Jail portion of the Jail/Probation sentence is longer for Black and Latino adults convicted of transport/sell narcotics. Whereas White adults are sentenced to an average of 86 days, Black adults are sentenced to 151 days and Latino adults to 129 days. The number of convictions has decreased dramatically since the first quarter of 2011.

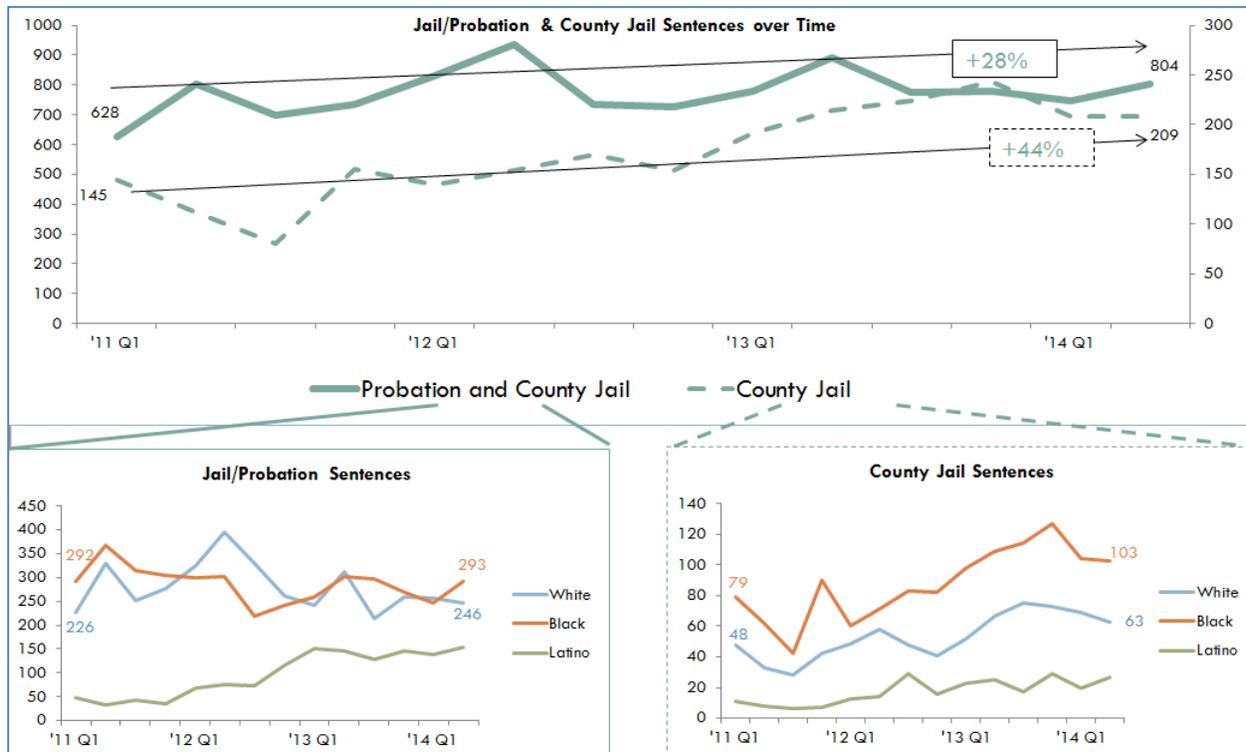
Black adults are more likely to be sentenced to County Jail or State Prison for transport/sell narcotics.





### Sentencing Trends

State prison sentences decreased for all groups since the first quarter of 2011. During the same time period the use of Jail/Probation Sentences and County Jail Sentences has increased.



Given legal reforms in recent years, such as AB109 and Proposition 47, reductions in the use of State Prison sentences are not surprising. However, the time frame of our analysis suggests that the declining use of State Prison was a trend that began before the impacts of these reforms were fully realized. AB 109 went into effect in October 2011 and Prop 47 was passed and implemented in November 2014.

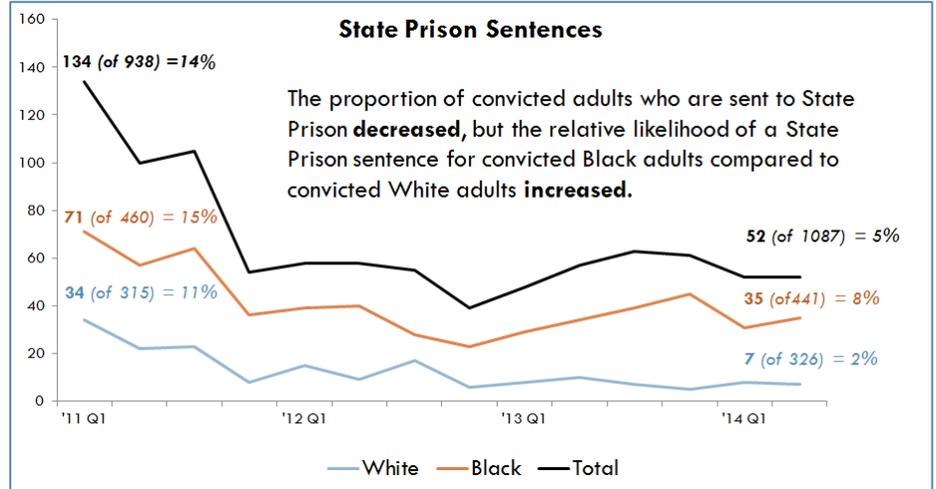
In the first quarter of 2011, 72 percent of White adults (226 of 315) received Jail/Probation compared to 63 percent of Black adults (292 of 460). In the second quarter of 2014, 75 percent of White adults (246 of 326) received Jail/Probation, compared to 64% of Black adults (293 of 441). Stated differently, in the first quarter of 2011 White adults are 1.13 times more likely to get a Jail/Probation sentence than Black adults, and in the second quarter of 2014 White adults are 1.14 times more likely to get a Jail/Probation sentence.

In the first quarter of 2011, 15 percent of White adults (48 of 315) and 17 percent of Black adults (79 of 460) received a County Jail sentence. In the second quarter of 2014, 20 percent of White adults (63 of 326) and 25 percent of Black adults (103 of 441) received a County Jail sentence. In other words, in the first quarter of 2011 Black adults were 1.13 times more likely to get a County Jail sentence than White adults, and in the second quarter of 2014, Black adults are 1.21 times more likely to get a County Jail sentence than White adults.

### Trends in State Prison Sentences

Despite overall decreases, the use of State Prison sentences continues to be relevant to the discussion of disparities. The proportion of convicted adults sentenced to State Prison decreased from 14 percent of all convictions in the first quarter of 2011 to just five percent of all convictions in quarter 2 of 2014. In the first quarter of 2011, 15 percent of Black adults convicted received a sentence of State Prison, and 11 percent of White adults convicted received a sentence of State Prison. In the second quarter of 2014, eight percent of Black adults convicted were sentenced to State Prison, and two percent of White adults convicted were sentenced to State Prison.

In comparing sentences to State Prison for White and Black adults, the disparity grew. Whereas in the first quarter of 2011, convicted Black adults were 1.4 times as likely as convicted White adults to be

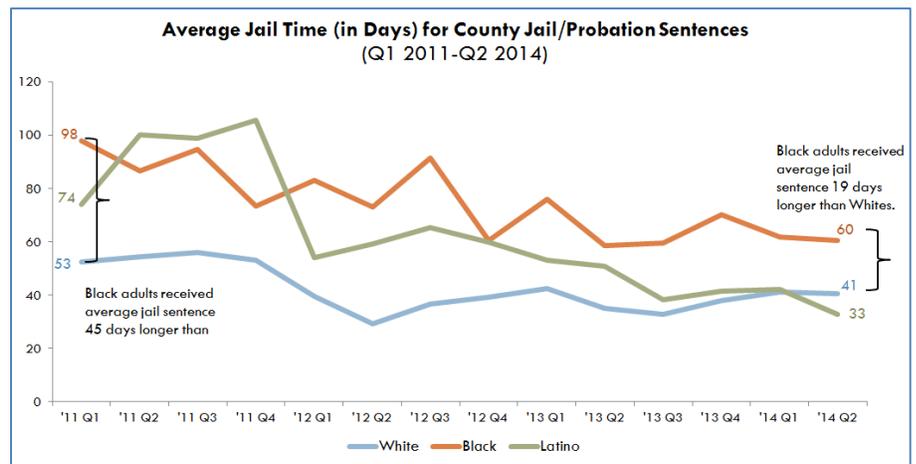


sent to State Prison, in quarter two of 2014, convicted Black adults were nearly four times as likely to be sent to State Prison. In other words, the proportion of Black adults sentenced to State Prison increased over time. During the first quarter of 2011, Black adults made up 53 percent of all State Prison sentences. By the second quarter of 2014, Black adults made up 67 percent of all State Prison sentences.

### Trends in Length of County Jail (for Jail/Probation Sentences)

In Q1 2011, Black adults received an average jail sentence that was 45 days longer (85% longer) than White adults. In Q2 2014, Black adults received an average jail sentence that was 19 days longer (46% longer) than White adults.

Although the average length of a County Jail sentence for Jail/Probation sentences have decreased, they are still consistently longer for Black and Latino adults.





## Building Data Capacity to Reduce Racial and Ethnic Disparities

The purpose of these recommendations is to aid in the development of data capacity, including data collection, analysis, and use. These recommendations build on a separate report BI submitted to the Reentry Council detailing the problems we encountered with respect to data availability and data integrity.

Accessing reliable and accurate data is a common challenge for justice systems. Often criminal justice information systems are built for case management, not analytics. As a result, asking basic questions of the vast and often separate information systems is complicated. Based on our minimal experience in working with key criminal justice information systems in San Francisco, this will require a commitment.

In making our observations and recommendations, BI would like to acknowledge that the San Francisco Adult Probation Department spent a significant amount of time and effort outreaching to various internal and external partners to make sense of the data. This outreach often resulted in a new understanding of data variables. Often, BI discovered that the data variables required to answer questions about disparities in the system were meaningless or were previously misunderstood. What was clear is that the knowledge necessary to improve data capacity in a meaningful way is shared by individuals in different departments and agencies. Therefore, there must be collective and collaborative effort to build data capacity, or efforts will be severely hindered.

While BI recognizes that there is much we do not understand about the information systems and protocols in place, we hope these observations will help stakeholders continue to build capacity to use data to better understand decision-making in San Francisco's criminal justice agencies.

Both our identification of problems and recommendations are limited in nature as an information system or data capacity assessment was not part of our scope of work. However, due to the extensive challenges we encountered in attempting to perform our analysis, we felt it would be helpful to share our experiences and recommendations.

The appropriate existing committees that already focus on building data infrastructure (CMS Committee and/or JUSTIS Committee) should review these reports, and prioritize the most relevant recommendations for further investigation and implementation. Additional ad-hoc or subcommittees may also be helpful to focus upon specific issues that are identified.

### Protocols and Documentation

#### *I. Develop clear protocols for gathering and entering key data into the information systems*

For instance, there is currently no clear and consistent procedure for collecting race and ethnicity data across criminal justice agencies. All agencies should adopt a consistent protocol and consistent race and ethnicity categories. The current best practice is to use a two-tiered questioning process:

- A. The first question: Do you identify as Hispanic or Latino?
- B. The second question: What is your race or ethnicity?

#### *II. Relevant agencies should develop or review and update existing training manuals*

It is not clear to BI which agencies have training manuals and when these were last reviewed and updated. A key component for ensuring strong data quality is having a detailed training process for users of the system. This is



accomplished in part by documentation. A training manual helps to ensure that users are trained according to a defined and agreed upon process. Additionally, agencies should evaluate quality assurance measures to ensure that data collection practice aligns with written protocol.

### *III. Create and Distribute a Data Dictionary*

A significant portion of time was spent attempting to understand the terminology used in the various systems during our analysis of the data provided by the various stakeholders. While it is unavoidable to have some niche specific jargon within any professional environment, having a dictionary of this terminology and the meaning of the different variables in the various data systems can:

- A. Make each system more uniform and consistent by allowing its various users to have a common understanding of what it is they are inputting; and
- B. Act as a place to store knowledge that is currently known only to one or two people within the various stakeholder agencies, which will cut down the time in the future for this type of analysis.

### **Staff Training**

#### *I. Train staff to enter data according to protocol.*

Training staff in data entry protocols is important. It is equally important to make the system as user friendly as possible and to develop protocols that are simple in relation to a more efficient and protected system.

#### *II. Incentivize Proper Data Collection Procedures*

In addition to a training manual, it is good practice to create incentives for users of IT systems to be invested in the quality of the data that they are capturing. Two suggestions for incentivizing stronger and more consistent data collection are:

- A. Develop and/or implement user logging system. Utilizing a user logging system is a valuable way to enforce data collection rules. Essentially a user logging system captures who, when, and where data was added or modified. With this information, statistics may be developed that suggest varying levels of data quality for system users. Data quality measures may provide valuable statistics for performance reviews while also providing greater transparency into where data quality issues are occurring so that they can be addressed more directly and quickly.
- B. Educate staff on the value of data. Educating users as to why the data they are collecting is important may also serve as a valuable tool for greater data quality. A particular approach that may be useful is to share data analytics with the users who collect the data that feeds into the statistics. In addition, consider creative ways to empower users to be part of the analytical process.

### **Modifications to Data Systems to Improve Data Integrity**

#### *I. Limit the number of open fields in information systems*

This will help eliminate the problem of the same data being entered in multiple ways, such as encountered with the SFPDP database.

#### *II. Leverage Constraint Potential of Information Systems/Enforce Protections*



In addition to greater efficiency, this provides the opportunity to leverage the information system to recall and enforce data rules. A simple example is requiring release dates to be later than booking dates. These types of constraints might address a good portion of the challenges encountered within the MTR data.

### **Generating Reports and Using Data**

*I. Develop infrastructure to report on key data disaggregated by race and ethnicity*

Jurisdictions that are committed to reforming any part of their system or ensuring that all people are being treated fairly and equitably must have the appropriate infrastructure in place. As a starting point in San Francisco, the relevant data committee should identify what information system modifications and data collection processes are required to answer the disparities questions developed by BI and refined by San Francisco stakeholders (as described in Appendix A).

*II. Develop regular reports (BI recommends quarterly)*

Once the capacity is in place, San Francisco should develop a report that will be reviewed regularly by stakeholders to measure progress on an ongoing basis.



## Conclusion and Next Steps

Having worked in over 100 jurisdictions, BI continues to see racial and ethnic disparities similar to those in this report. The prevalence of these disparities undermines any notion of “justice” in our criminal justice system. Given the disparities in San Francisco outlined in this report, it is incumbent on local stakeholders to address the inequities within the criminal justice system.

We hope this analysis provides a starting point for stakeholders to consider more effective reform strategies that promote equity and reduce the significant racial and ethnic disparities outlined in this report.

To further disparity reduction efforts, BI recommends:

- (1) Build data capacity per the suggestions in this report.
- (2) Develop capacity to answer the key questions BI was unable to answer due to data limitations. For example:
  - Arrest:
    1. How do racial and ethnic disparities change (if at all) when citations are included in arrests?
    2. Are people of color more likely than White adults to have a more restrictive outcome to their arrest? (i.e. remain in jail vs. divert or citation for appearance);
    3. Where are people of color arrested most frequently?
  - Pretrial Jail and Bail Decisions:
    1. Do defendants of color remain in jail pretrial at higher rates than White defendants?
    2. When bail is set, do defendants of color have higher bail amounts attached to their bail offer than White defendants?
    3. Are defendants of color less likely to post bail?
    4. Do defendants of color have a longer pretrial length of stay than White defendants?
    5. How do lengths of stay differ by release types (i.e. cited out; dismissed; release on bail; release on pretrial services; release with credit for time served)?
    6. Are defendants of color more likely than White defendants to remain in jail during the trial?
  - Charging and Sentencing:
    1. Are defendants of color who remain in jail during trial more likely to have more restrictive sentences?
    2. How does race and ethnicity impact charging decisions?
    3. Are people of color more likely to plead guilty? Does the likelihood of a guilty plea increase for defendants who remain in custody pretrial?
  - Motions to Revoke Probation (MTR):
    1. Are probation clients (“clients”) of color more likely than White clients to have MTRs filed?
    2. Which departments or agencies are filing the MTRs?
    3. Why was the MTR filed? (new arrest, drug use, fail to report, violate stay away order, etc.)
    4. Do clients of color have their probation revoked for different reasons than White clients?
    5. What are the outcomes of MTRs for clients of color (i.e., modification of probation leading to jail? Modification leading to treatment mandate? Revocation leading to state prison?)
- (3) Develop a system of reporting key indicators of racial and ethnic disparities on a regular basis; BI recommends quarterly. These reports should be disseminated to key partners and be made publicly available. The reports can be used to both identify where disparities exist and to identify target populations for disparity reduction work. Regular reports may be used to monitor trends and whether system involvement for people of color is increasing or decreasing. Below are examples of basic tables that stakeholders may agree to populate. The tables are included as a starting point for discussion --for each key decision point, there are additional data to consider.



**Key Decision Points to Monitor**

	White	Black	Latino	Asian	Pacific Islander	Native American	Total
Arrests							
Bookings to Jail							
Filings							
Declinations							
Convictions							

**Jail Bookings by Most Serious Offense Category**

		White	Black	Latino	Asian	Pacific Islander	Native American	Total
Felony	Person							
	Property							
	Drug							
	Public Order							
	Sex							
	Other							
	Total							
Misdemeanor	Person							
	Property							
	Drug							
	Public Order							
	Sex							
	Other							
Total								
Technical/ Administrative	Violation of Probation							
	Bench Warrant							
	Other Technical Violation							

**Average Daily Population in Jail**

	White	Black	Latino	Asian	Pacific Islander	Native American	Total
Average Daily Population (Total)							
ADP Felony Pretrial							
ADP Misdemeanor Pretrial							
ADP Probation Violation							
ADP FTA Warrant Hold							
ADP AWOL Warrant Hold							
ADP ICE Hold							
ADP Sentenced to Jail Misdemeanor							
ADP Sentenced to Jail Felony							

**Length of Stay in Jail (Average and Median) by Release Type**

	White	Black	Latino	Asian	Pacific Islander	Native American	Total
Cite Out							
Dismiss							
Release on Bail							
Release to Pretrial Services							
Release with Credit for Time Served							

**Bail Set and Post**

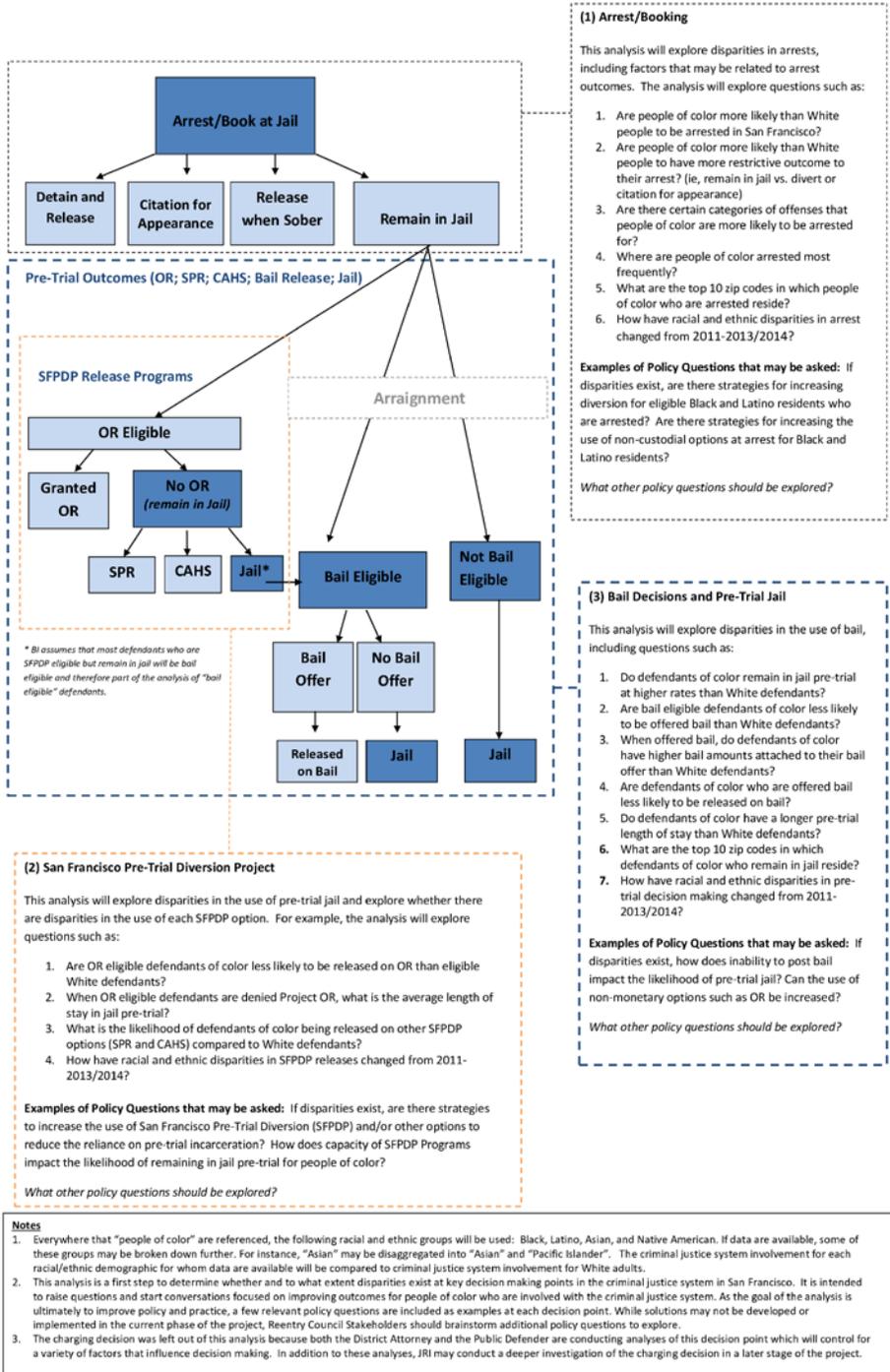
		White	Black	Latino	Asian	Pacific Islander	Native American	Total
\$1 - \$100	Bail Set							
	Bail Posted							
\$101- \$500	Bail Set							
	Bail Posted							
\$501- \$1000	Bail Set							
	Bail Posted							
\$1001- \$5000	Bail Set							
	Bail Posted							
\$5001- \$10,000	Bail Set							
	Bail Posted							
\$10,001- \$20,000	Bail Set							
	Bail Posted							
\$20,000+	Bail Set							
	Bail Posted							

**Pretrial Release Decision by Risk Assessment Score**

		White	Black	Latino	Asian	Pacific Islander	Native American	Total
<b>Total Booked in Jail</b>	High Risk Score							
	Medium Risk Score							
	Low Risk Score							
	Not assessed for Risk							
<b>Pretrial Release</b>	High Risk Score							
	Medium Risk Score							
	Low Risk Score							
	Not assessed for Risk							
<b>Release on Monetary Bail</b>	High Risk Score							
	Medium Risk Score							
	Low Risk Score							
	Not assessed for Risk							
<b>Remain in Jail</b>	High Risk Score							
	Medium Risk Score							
	Low Risk Score							
	Not assessed for Risk							

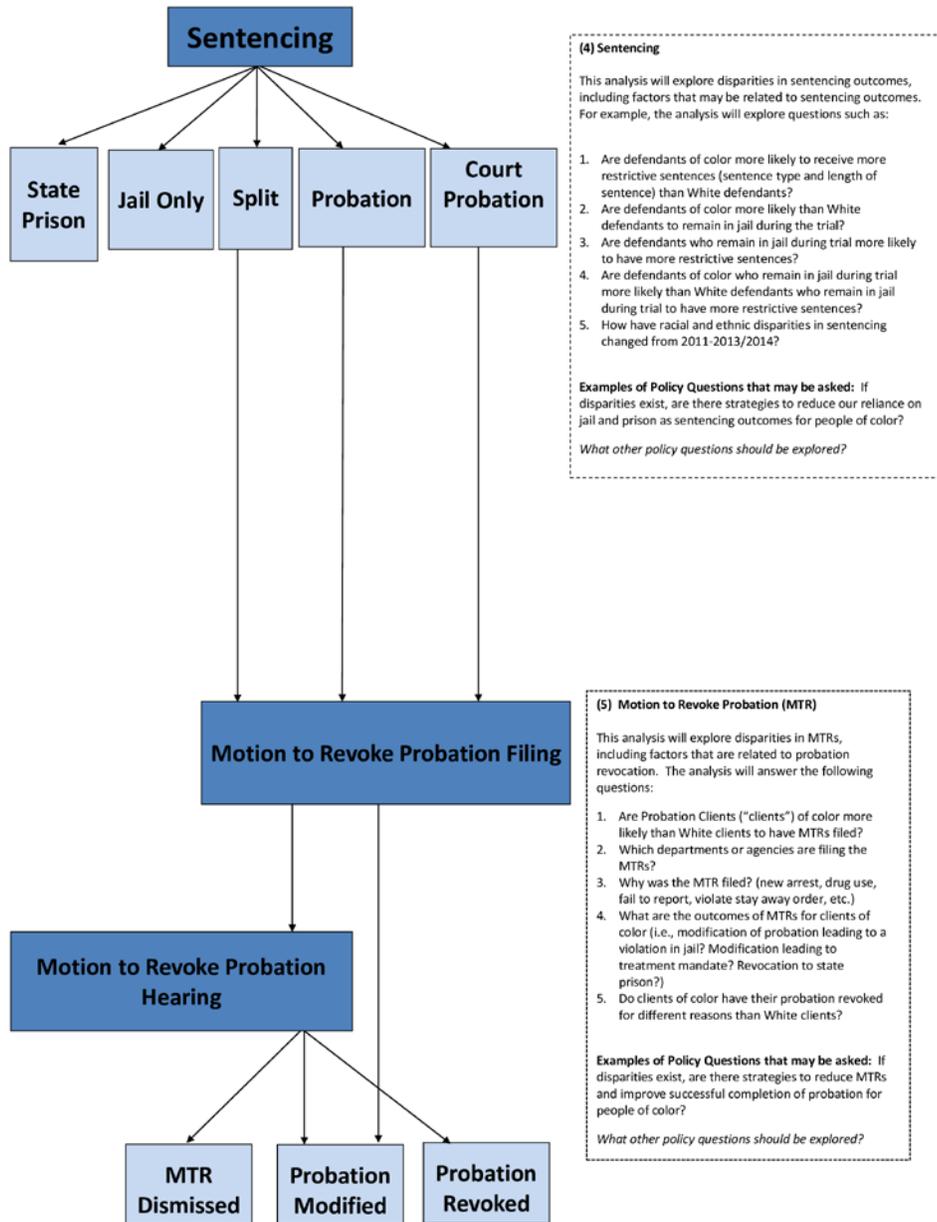
- (4) Institutionalize a process for deliberating on the data regularly. Importantly, not only should the data be collected and reported, the data must be discussed by a collaborative made up of traditional and non-traditional stakeholders. During these meetings, stakeholders should consider how local policy and practice change could result in reductions in disparities. As data capacity is strengthened, these are the types of focused conversations we encourage San Francisco stakeholders to have.

### Appendix A: Initial Questions and Flow Charts<sup>40</sup>



<sup>40</sup> This initial analysis focus purposefully excluded charging decisions, a key decision point. JRI stakeholders agreed that BI's analysis would not look at charging decisions, as both the Public Defender and District Attorney were already engaged in their own studies of this decision point. Their studies will provide a more in-depth look at charging decisions and will be shared with JRI partners.

**Appendix A: Initial Questions and Flow Charts**



\* Everywhere that "people of color" are referenced, the following racial and ethnic groups will be used: Black, Latino, Asian, and Native American. If data are available, some of these groups may be broken down further. For instance, "Asian" may be disaggregated into "Asian" and "Pacific Islander". The criminal justice system involvement for each racial/ethnic demographic for whom data are available will be compared to criminal justice system involvement for White adults.



## Appendix B: Disparity Gap in Arrests (2013)

	Disparity Gap (Times More Likely Than White)	White Arrest Rate (per 1000)	Black Arrest Rate (per 1000)
Kidnapping (F)	62.9	0.003	0.19
Lewd or Lascivious (F)	23.6	0.003	0.07
Robbery (F)	17.0	0.34	5.77
Other Sex Law Violations (F)	15.7	0.05	0.73
Checks / Access Cards (M)	15.7	0.003	0.05
Narcotics (F)	14.5	0.69	10.04
Sex Offenses (F)	14.4	0.06	0.80
Other Drugs (M)	13.9	0.28	3.90
Weapons (M)	11.8	0.03	0.36
Weapons (F)	11.7	0.22	2.52
Forgery / Checks / Access Cards (F)	11.3	0.10	1.19
Other Felonies (F)	11.3	4.06	45.78
Other Offenses (F)	10.9	4.45	48.55
Burglary (F)	9.9	0.75	7.42
Homicide (F)	9.6	0.03	0.27
<b>All Felony</b>	<b>9.4</b>	<b>10.56</b>	<b>98.82</b>
Property Offenses (F)	9.0	1.81	16.34
Drug Offenses (F)	9.0	1.72	15.52
Other Misdemeanors (M)	8.9	1.33	11.91
Theft (F)	8.8	0.62	5.46
Failure to Appear Non-Traffic (M)	8.7	2.48	21.53
Other Drugs (F)	7.9	0.01	0.07
Disturbing the Peace (M)	7.4	0.06	0.41
Selected Traffic Violations (M)	7.2	2.86	20.59
Motor Vehicle Theft (F)	7.1	0.29	2.04
Violent Offenses (F)	7.0	2.52	17.61
Malicious Mischief (M)	6.9	0.02	0.17
Marijuana (F)	6.8	0.35	2.38
Trespassing (M)	6.0	0.57	3.40
Liquor Laws (M)	6.0	0.11	0.68
<b>All Misdemeanor</b>	<b>5.7</b>	<b>16.68</b>	<b>95.84</b>
Prostitution (M)	5.6	0.40	2.26
Other Theft (M)	5.3	0.09	0.46
Assault (F)	5.3	2.12	11.23
Forcible Rape (F)	5.2	0.03	0.15
Burglary Tools (M)	5.2	0.06	0.29
Assault and Battery (M)	5.2	1.98	10.23
Arson (F)	4.9	0.05	0.24
Dangerous Drugs (F)	4.5	0.67	3.03
Marijuana (M)	3.9	0.01	0.02
Petty Theft (M)	3.9	0.69	2.72
Drunk (M)	3.4	3.31	11.20
Lewd Conduct (M)	2.8	0.04	0.12
Dangerous Drugs	2.6	0.06	0.15
Hit and Run (M)	2.6	0.05	0.12
Manslaughter Vehicular (F)	2.6	0.01	0.02
Annoying Children (M)	2.6	0.01	0.02
City / County Ordinances (M)	2.6	0.01	0.02
Disorderly Conduct (M)	2.6	0.16	0.41
Driving Under the Influence (M)	2.3	1.80	4.20
Vandalism (M)	2.0	0.23	0.46
Indecent Exposure (M)	2.0	0.01	0.02
Hit and Run (F)	1.7	0.04	0.07
Obscene Matter (M)	1.3	0.02	0.02
Driving Under the Influence (F)	1.2	0.12	0.15



## Appendix C: Description of SFPDP Process Diagram and Terminology

“Eligible for Pretrial Release” is the largest and most inclusive category in the SFPDP system. It includes all individuals in the entire SFPDP data set. Eligible for Pretrial Release is not a term used in the SFPDP database, but rather a term BI created, after discussions with Reentry Staff, to label everyone in the SFPDP database. “Eligible for Pretrial Release” is the base of comparison for much of the analysis conducted with regard to pretrial release.

“Interviewed,” indicates an individual was interviewed to determine eligibility for presentation to the duty commissioner. “Not Interviewed” is a term BI created to include all individuals that did not, for whatever reason, get interviewed to determine if they could be presented to the duty commissioner.

“Other: Bailed, Cited, or Dismissed” represents individuals that are cited out, bailed out, or have their case dismissed at some stage in the process, but not at arraignment or by the duty commissioner. Within this category “Bailed,” “Cited,” and “Dismissed”, some dispositions are distinguished within the SFPDP database as “Before Presentation” (BP), i.e., before presentation to the duty commissioner. These individuals were denoted by a BP prefix to their disposition in the SFPDP Rebooking Status variable. For example, both of these are dispositions within the SFPDP system: “Bailed” and “BP Bailed.” These distinctions are not relevant for this analysis and were therefore omitted.

“Presented to Duty Commissioner” means that an individual was interviewed for eligibility and then presented to the duty judge. BI focused on two types of dispositions: “Granted OR by Commissioner” and “Denied OR by Commissioner.” “Granted OR by Commissioner” indicates that an individual who was interviewed and presented to the duty commissioner was then released on their Own Recognizance (OR) by the duty judge. This can happen in two ways, either regular ORPJ or Supervised-ORPJ (terminology used within the SFPDP database), the only difference being the reporting requirements. Correspondingly “Denied OR by Commissioner” means that the individual was not granted ORPJ or Supervised-ORPJ. Another disposition at the Duty Commissioner stage is ORNF stands for “Own Recognizance Not Filed.” ORNF is a designation within the SFPDP system that means the staff did not file the case for a variety of reasons, for example a person would have been presented to the duty judge, but they paid bail before their case was concluded or their case was dismissed. These individuals were not counted in the “Granted OR by Commissioner” category. Persons who were considered “ineligible” (SFPDP database terminology) for a duty commissioner outcome were subtracted from the total number of individuals presented for a given quarter, i.e., the denominator, for each analysis conducted. These individuals are only included in the totals listed, for example at the top of the SFPDP System Flow, and are not part of the rate (percentage) calculations. An individual is considered “ineligible” because of a hold on their file that precludes a duty judge from releasing that individual, for example, an ICE hold. This applies to the entire three and a half year duty commissioner outcome trends.

“Presented at Arraignment” includes all individuals that were actually arraigned. There are several paths through the SFPDP process for a person to end in the “Presented at Arraignment” category. BI focused on whether a person was granted or denied “Pretrial Release at Arraignment.” Persons who had an arraignment status of “Hold” (SFPDP database terminology) were subtracted from the total number of individuals presented for a given quarter, i.e., the denominator. These individuals are only included in the totals listed, for example at the top of the SFPDP System Flow, and are not part of the rate (percentage) calculations. An individual with a hold is not eligible for release at arraignment due to, for example, an ICE hold. This applies to the entire three and a half year arraignment outcome trends.

“Granted Pretrial Release at Arraignment” is a category that means that a person at arraignment was released by the court either on CTOR or Supervised-CTOR (terminology in the SFPDP database), the only difference being reporting requirements. “Denied Pretrial Release at Arraignment” means that once an individual was arraigned, he or she was denied CTOR.

All the relevant information regarding this process is stored in four separate columns of data in the SFPDP data base: interview status (whether an individual was interviewed or not), rebooking status (whether an individual was released before presentation to the duty commissioner or before presentation at arraignment), duty judge<sup>41</sup> outcome (whether an individual was released or denied release by the duty commissioner), and arraignment outcome (whether an individual was released or denied). Due to the fact that within the base of all individuals various conclusions could occur leading to a lack of contiguity and because of a lack of a non-variable base (for example, all arrested), the only basis for comparison in most cases was whether an individual was eligible for an interview (defined above).

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<sup>41</sup> The term “judge” is used in the SFPDP database and not “commissioner” which is the more appropriate term, according to staff.



## Appendix D: Conviction/Sentencing Data

### Conviction Numbers Broken Down by Gender and Race/Ethnicity for Each Year

<b>TOTAL</b>	<b>White</b>	<b>Black</b>	<b>Latino</b>	<b>API</b>	<b>Nat. Am.</b>	<b>Other</b>	<b>Total</b>
2011	1352	1877	235	261	9	168	3902
2012	1588	1544	426	370	6	230	4164
2013	1355	1769	711	406	24	161	4426
2014	668	840	359	173	7	79	2126
<b>Total</b>	<b>4963</b>	<b>6030</b>	<b>1731</b>	<b>1210</b>	<b>46</b>	<b>638</b>	<b>14618</b>

<b>MALE</b>	<b>White</b>	<b>Black</b>	<b>Latino</b>	<b>API</b>	<b>Nat. Am.</b>	<b>Other</b>	<b>Total</b>
2011	1155	1563	209	225	8	155	3315
2012	1291	1281	388	300	5	191	3456
2013	1126	1438	619	338	18	138	3677
2014	539	696	326	140	7	74	1782
<b>Total</b>	<b>4111</b>	<b>4978</b>	<b>1542</b>	<b>1003</b>	<b>38</b>	<b>558</b>	<b>12230</b>

<b>FEMALE</b>	<b>White</b>	<b>Black</b>	<b>Latino</b>	<b>API</b>	<b>Nat. Am.</b>	<b>Other</b>	<b>Total</b>
2011	197	314	26	36	1	13	587
2012	297	263	38	70	1	39	708
2013	229	331	92	68	6	23	749
2014	129	144	33	33	0	5	344
<b>Total</b>	<b>852</b>	<b>1052</b>	<b>189</b>	<b>207</b>	<b>8</b>	<b>80</b>	<b>2388</b>

**Top 25 Charges Resulting In Conviction (2011 through Q2 2014)**

	White	Black	Latino	API	Native American	Other	Total
DUI (M) [23152(B)VC]	900	278	393	280	4	178	2033
Burglary (F) [459PC]	249	412	47	38	2	22	770
Reckless Driving (M) [23103VC]	244	72	70	120	2	55	563
Burglary (M) [459PC]	200	256	37	47	3	11	554
Sale or Transport of Controlled Substance (F) [11352(A)HS]	71	361	43	13	0	16	504
DUI (M) [23152(A)VC]	205	73	59	67	1	49	454
"SOLICIT SPECIF H AND S ACTS" (M) [653F(D)PC]	150	206	31	13	0	11	411
Battery (M) [242PC]	120	101	54	31	1	21	328
Receiving Stolen Property (M) [496(A)PC]	103	147	34	19	0	13	316
Possession of Controlled Substance (M) [11350(B)HS]	53	189	19	8	0	9	278
Grand Theft (F) [487(C)PC]	32	201	28	10	0	7	278
Possession of Controlled Substance (F) [11350(A)HS]	50	195	16	7	0	6	274
Theft (M) [484A4905PC]	131	94	19	25	1	4	274
Possession of Methamphetamines (M) [11377(A)HS]	150	61	27	14	0	6	258
Robbery (F) [211PC]	27	176	32	14	0	6	255
Receiving Stolen Property (F) [496(A)PC]	64	98	30	15	0	5	212
ADW (F) [245(A)1PC]	58	98	29	12	2	10	209
Assault GBI (F) [245(A)4PC]	48	95	37	15	0	1	196
Possession for Sales (F) [11351HS]	19	141	13	4	1	6	184
Possession of Concentrated Cannabis (M) [11357(C)HS]	101	48	13	7	1	6	176
Drug Possession for Sale (F) [11351,5HS]	8	129	10	2	0	1	150
Possession of Methamphetamines for Sale (F) [11378HS]	78	35	18	14	1	4	150
Domestic Battery (M) [243(E)1PC]	46	58	29	8	0	6	147
Vandalism (M) [594(B)1PC]	63	51	20	7	1	5	147
Accessory After the Fact (M) [32PC]	32	64	20	14	0	2	132
All Other	1706	2236	584	397	21	177	5121
<b>Total</b>	<b>4963</b>	<b>6030</b>	<b>1731</b>	<b>1210</b>	<b>46</b>	<b>638</b>	<b>14618</b>



## Top 25 Convicted Charges Resulting In Sentence to Jail/Probation (2011 through Q2 2014)

	White	Black	Latino	API	Native American	Other	Total
DUI (M) [23152(B)VC]	888	268	384	276	3	177	1996
Reckless Driving (M) [23103VC]	239	67	65	119	2	50	542
Burglary (F) [459PC]	138	249	30	27	1	13	458
DUI (M) [23152(A)VC]	202	68	56	67	0	47	440
Burglary (M) [459PC]	143	184	29	43	1	10	410
Sale or Transport of Controlled Substance (F) [11352(A)HS]	64	238	33	4	0	13	352
"SOLICIT SPECIF H AND S ACTS" (M) [653F(D)PC]	126	158	25	10	0	9	328
Battery (M) [242PC]	99	80	45	25	0	19	268
Possession of Controlled Substance (F) [11350(A)HS]	42	170	14	7	0	5	238
Receiving Stolen Property (M) [496(A)PC]	76	107	26	18	0	10	237
Possession of Controlled Substance (M) [11350(B)HS]	46	144	14	3	0	6	213
Grand Theft (F) [487(C)PC]	21	143	18	9	0	7	198
Possession of Methamphetamines (M) [11377(A)HS]	107	46	19	11	0	5	188
Theft (M) [484A4905PC]	83	57	12	15	0	2	169
Assault GBI (F) [245(A)4PC]	40	74	34	14	0	1	163
Possession of Concentrated Cannabis (M) [11357(C)HS]	91	35	11	6	1	6	150
Receiving Stolen Property (F) [496(A)PC]	44	68	24	8	0	4	148
Robbery (F) [211PC]	14	89	18	7	0	2	130
ADW (F) [245(A)1PC]	36	53	15	9	0	8	121
Vandalism (M) [594(B)1PC]	51	41	17	6	1	5	121
Domestic Battery (M) [243(E)1PC]	41	43	24	6	0	5	119
Drug Possession for Sale (F) [11351,5HS]	8	84	7	1	0	0	100
Possession of Methamphetamines for Sale (F) [11378HS]	54	21	12	8	0	3	98
Possession for Sales (F) [11351HS]	12	71	7	2	1	4	97
Assault (M) [245(A)1PC]	41	39	6	6	0	2	94
All Other	1219	1410	414	309	12	129	3493
<b>Total</b>	<b>3925</b>	<b>4007</b>	<b>1359</b>	<b>1016</b>	<b>22</b>	<b>542</b>	<b>10871</b>



### Top 25 Convicted Charges Resulting In Sentence to County Jail (2011 through Q2 2014)

	White	Black	Latino	API	Native American	Other	Total
Burglary (M) [459PC]	57	71	8	4	2	1	143
Burglary (F) [459PC]	62	64	5	5	0	4	140
Theft (M) [484A4905PC]	46	36	6	10	1	2	101
"SOLICIT SPECIF H AND S ACTS" (M) [653F(D)PC]	23	47	6	3	0	2	81
Receiving Stolen Property (M) [496(A)PC]	27	40	8	1	0	3	79
Possession of Methamphetamines (M) [11377(A)HS]	43	15	8	3	0	1	70
Sale or Transport of Controlled Substance (F) [11352(A)HS]	6	53	3	4	0	1	67
Possession of Controlled Substance (M) [11350(B)HS]	7	43	5	5	0	3	63
Parole Revocation (F) [3455(A)PC]	8	42	7	3	1	1	62
Battery (M) [242PC]	20	21	9	5	1	2	58
Accessory After the Fact (M) [32PC]	4	27	5	3	0	0	39
Contempt of Court (M) [166(A)4PC]	13	17	1	4	1	0	36
Grand Theft (F) [487(C)PC]	6	22	6	0	0	0	34
DUI (M) [23152(B)VC]	11	10	9	1	1	1	33
Possession for Sales (F) [11351HS]	5	23	3	0	0	0	31
Possession of Methamphetamines for Sale (F) [11378HS]	17	8	4	2	0	0	31
Receiving Stolen Property (F) [496(A)PC]	11	13	5	1	0	0	30
Unlawful Taking of Vehicle (M) [10851(A)VC]	9	11	6	1	0	1	28
Drug Possession for Sale (F) [11351,5HS]	0	25	2	0	0	1	28
Domestic Battery (M) [243(E)1PC]	5	15	5	2	0	1	28
Vandalism (M) [594(B)1PC]	12	10	3	1	0	0	26
Driving Without License (M) [12500(A)VC]	5	15	5	0	0	0	25
Possession of Controlled Substance (F) [11350(A)HS]	5	17	1	0	0	1	24
Resisting Arrest (M) [148(A)1PC]	3	13	6	2	0	0	24
Possession of Concentrated Cannabis (M) [11357(C)HS]	7	13	2	1	0	0	23
All Other	279	398	98	50	6	22	853
<b>Total</b>	<b>746</b>	<b>1224</b>	<b>245</b>	<b>120</b>	<b>18</b>	<b>48</b>	<b>2401</b>



### Top 25 Convicted Charges Resulting In Sentence to State Prison (2011 through Q2 2014)

	White	Black	Latino	API	Native American	Other	Total
Burglary (F) [459PC]	37	72	12	6	1	4	132
Robbery (F) [211PC]	9	63	10	6	0	3	91
ADW (F) [245(A)1PC]	21	37	13	0	2	2	75
Possession for Sales (F) [11351HS]	2	41	3	2	0	2	50
Sale or Transport of Controlled Substance (F) [11352(A)HS]	1	38	7	2	0	2	50
Inflict Corporal Injury on Spouse (F) [273,5(A)PC]	9	29	4	1	0	0	43
Grand Theft (F) [487(C)PC]	5	26	3	1	0	0	35
Felon/Addict in Possession of Weapon (F) [12021A1PC]	4	26	2	2	0	0	34
Receiving Stolen Property (F) [496(A)PC]	7	14	1	6	0	1	29
Assault GBI (F) [245(A)4PC]	5	15	3	0	0	0	23
Felon in Possession of Weapon (F) [29800A1PC]	2	17	1	1	0	1	22
Possession of Methamphetamines for Sale (F) [11378HS]	6	6	1	4	0	1	18
Reckless Evading of Police Officer (F) [2800,2AVC]	4	9	2	0	1	2	18
Drug Possession for Sale (F) [11351,5HS]	0	14	1	1	0	0	16
Elder Abuse (F) [368(B)1PC]	3	7	0	2	0	0	12
Unlawful Taking of Vehicle (F) [10851(A)VC]	4	4	1	1	0	1	11
Grand Theft (F) [487(A)PC]	2	5	2	1	0	0	10
Attempted Robbery (F) [664,211PC]	4	6	0	0	0	0	10
Possession of Controlled Substance (F) [11350(A)HS]	1	7	1	0	0	0	9
Possession of Methamphetamines (F) [11377(A)HS]	1	3	3	1	0	1	9
Criminal Threat (F) [422PC]	3	5	1	0	0	0	9
Possession of Marijuana for Sales (F) [11359HS]	0	5	2	1	0	0	8
Assault with Firearm (F) [245(A)2PC]	0	6	2	0	0	0	8
Voluntary Manslaughter (F) [192(A)PC]	0	4	1	1	0	1	7
Indecent Exposure (F) [314,1PC]	2	5	0	0	0	0	7
All Other	47	107	25	10	1	10	200
<b>Total</b>	<b>179</b>	<b>571</b>	<b>101</b>	<b>49</b>	<b>5</b>	<b>31</b>	<b>936</b>

**The W. Haywood Burns Institute**  
**475 14th Street, Suite 800**  
**Oakland, CA 94612**

**415.321.4100**

**415.321.4140 fax**

**info@burnsinstitute.org**



THE W. HAYWOOD

**BURNS INSTITUTE** FOR JUVENILE JUSTICE FAIRNESS & EQUITY

## **Workplace Diversity training provided by Target Solutions**

### **Description:**

Ethnic diversity is racial, national and religious variety of groups of people who have varying backgrounds or cultures. An awareness about different cultures and backgrounds helps bring unity and tolerance to the workplace or community. This training course has 7 learning modules with a ten-question exam.

### **Course Duration:**

1 hour(s)

### **Lessons:**

Lesson 1 - Benefits of Workplace Diversity  
Lesson 2 - Challenges of Workplace Diversity  
Lesson 3 - Creating a Positive Work Atmosphere  
Lesson 4 - Federal Job Discrimination Laws  
Lesson 5 - Who Anti-Discrimination Laws Affect  
Lesson 6 - Filing a Charge  
Lesson 7 - Dealing with a Charge  
Lesson 8 - Resolving a Charge  
Summary – Summary

# Contra Costa County

Attachment C

County Administrator  
Risk Management Division

2530 Arnold Drive, Suite 140  
Martinez, California 94553

Risk Management  
Administration  
Fax Number

(925) 335-1400  
(925) 335-1421



September 10, 2015

In response to an inquiry from the County Administrator's office, Risk Management would like to offer the following information regarding Contra Costa County's eLearning Diversity training.

## **What Are the Employer's Responsibilities for Diversity in the Workplace?**

Employers have an obligation to provide employees with a safe work environment free from discrimination, harassment and intimidation. Without the proper training and management, a diverse workplace can become a breeding ground for behavior and actions that rise to the level of unlawful and unfair employment practices. Therefore, employers have several responsibilities concerning diversity in the workplace.

### **Definition**

Since the enactment of early nondiscrimination laws such as Title VII of the Civil Rights Act of 1964, the meaning of diversity changed dramatically. In the 1960s, diversity typically referred to differences such as race, color, sex, national origin and religion. In fact, Title VII of the Civil Rights Act specifically prohibits discrimination based on these factors. In later years, the meaning of diversity expanded to include individuals with disabilities, workers age 40 and over, and veterans. However, the definition of diversity in the workplace isn't confined to the characteristics and status codified by law. Workplace diversity includes differences attributed to generation, culture and work styles, and preferences.

### **Training**

An employer's communication policy pertaining to workplace diversity doesn't end with a simple Equal Opportunity Employer (EOE) stamp. Employers also have a responsibility for training employees and managers on topics related to diversity. The U.S. Equal Employment Opportunity Commission strongly recommends a workplace diversity component within every employer's training and development offerings.

The agency states: "Such training should explain the types of conduct that violate the employer's anti-harassment policy; the seriousness of the policy; the responsibilities of supervisors and managers when they learn of alleged harassment; and the prohibition against retaliation." New employees, from entry-level to seasoned workers and from executive leadership to front-line production workers, must receive company training on workplace diversity. Effective training teaches employees how to recognize behaviors that are inconsistent with company policy and actions that demonstrate lack of respect for differences among employees, customers, vendors and suppliers.

Contra Costa County has taken a strong position on ensuring that the workforce learns about the anti-harassment policy; the seriousness of the policy; communicating the responsibilities of the supervisors and managers as it relates to their respective role in handling alleged harassment; and ensured widespread communication on the importance of completing workplace diversity training.

Workplace diversity training is provided through an eLearning platform, Target Solutions. This web-based platform is an exceptional utility program that offers our county employees efficient, time saving, risk management tools. Target Solutions is used by more than 2,500 public entities nationwide. The platform also monitors key compliance tasks, distributes organizational policies, and manages employee certifications and licenses. The workplace diversity training is self-paced and cross-browser compliant with cutting-edge interactions.

On July 1, 2014, David Twa, County Administrator directed all the Department Heads /Directors to ensure that their respective existing staff and new employees be trained according to the County Board of Supervisors' directive. David Twa's memo designated the Workplace Diversity training as a mandated training topic. That directive originated from the Board of Supervisors' Internal Operations report of October 24, 1991. Prior to the memo, this training was not enforced.

Through collaboration of David Twa's memo, the eLearning platform delivery and tracking system, and designating the training as mandatory – 4, 076 Contra Costa County employees have completed the workplace diversity training. Please refer to the table on the following page.

<b>Workplace Diversity Completions by Department</b>			
<b>As of August 2015</b>			
<b>Department</b>	<b>Number of Completions</b>	<b>Total Number of Employees</b>	
Treasurer	28	26	108%
Auditor	49	52	94%
Sheriff's Office	946	1091	87%
District Attorney	183	236	78%
Child Support Services	164	227	72%
County Administrators	120	168	71%
Human Resources	32	54	59%
County Counsel	24	50	48%
County Clerk-Recorder	27	62	44%
Department Heads	10	25	40%
Probation	161	417	39%
Veteran Services	5	13	38%
Health Services	2051	5508	37%
Assessor	43	153	28%
Animal Services	70	253	28%
Board of Supervisors	6	45	13%
Library	32	433	7%
Public Works	28	397	7%
Public Defender	3	87	3%
Agriculture	2	73	3%
Employment and Human Services	87	3300	3%
Retirement	1	55	2%
Conservation and Development	4	258	2%
<b>Totals:</b>	4076	12983	31%

*\*Total number of employees taken from Target Solutions data, based off CCC PeopleSoft software program; Figures may include temporary employees and contractors.*

## **In Closing**

Increasing attention to workplace diversity has created a new vernacular which includes buzzwords used to describe employer's responsibilities for creating workplaces that recognize and appreciate diversity among its workforce. Inclusiveness is one such buzzword. Contra Costa County has a responsibility to practice, not just advertise, inclusiveness. We practice inclusiveness by expanding recruitment practices through innovative outreach methods that produce a wider pool of qualified applicants.

Creating a diversity friendly workplace in Contra Costa County isn't about political correctness, procuring a buzzword, a quota issue, or dodging a consent decree order. It's about making sure that our employees of all backgrounds and potential employees feel valued.

TO: BOARD OF SUPERVISORS  
FROM: INTERNAL OPERATIONS COMMITTEE  
DATE: October 14, 1991



Contra  
Costa  
County

SUBJECT: APPOINTMENTS TO THE ADVISORY COUNCIL ON EQUAL EMPLOYMENT OPPORTUNITY AND REVIEW OF DEPARTMENTAL AFFIRMATIVE ACTION IMPLEMENTATION PLANS

SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION

RECOMMENDATIONS:

1. Authorize the Internal Operations Committee to interview, on November 25, 1991, all applicants for seats on the Advisory Council on Equal Employment Opportunity representing women, minorities, and other protected groups and return to the Board of Supervisors on December 3, 1991 with recommendations for appointments to these seats.
2. Request the Director of Personnel to again contact all employee organizations representing County employees, asking for their nominations to the two seats representing employee organizations on the Advisory Council on Equal Employment Opportunity, authorize our Committee to interview all such applicants if our Committee judges interviews to be appropriate or necessary and return to the Board of Supervisors December 3, 1991 with our recommendations.
3. Request the Affirmative Action Officer to again contact organizations representing the disabled, including organizations representing disabled veterans, urging them to nominate representatives for the seat on the Advisory Council on Equal Employment Opportunity which is reserved for the disabled and authorize the Internal Operations Committee to interview, on November 25, 1991, all applicants for seats on the Advisory Council on Equal Employment Opportunity representing the disabled and return to the Board of Supervisors on December 3, 1991 with a recommendation for appointment to this seat.

CONTINUED ON ATTACHMENT Yes YES SIGNATURE: \_\_\_\_\_

RECOMMENDATION OF COUNTY ADMINISTRATOR \_\_\_\_\_ RECOMMENDATION OF BOARD COMMITTEE \_\_\_\_\_

APPROVE \_\_\_\_\_ OTHER \_\_\_\_\_

SIGNATURE(S): ROBERT I. SCHRODER SUNNE WRIGHT McPEAK

ACTION OF BOARD ON October 22, 1991 APPROVED AS RECOMMENDED  OTHER \_\_\_\_\_

10/22/91  
IO. 2  
S. 2

VOTE OF SUPERVISORS

UNANIMOUS (ABSENT 2)

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

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

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MINUTES OF THE BOARD OF SUPERVISORS ON THE DATE SHOWN.

CC: Please see Page 3.

ATTESTED OCT 22 1991  
PHIL BATCHELOR, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR

BY [Signature], DEPUTY

4. Establish as the first task for the Advisory Council on Equal Employment Opportunity the review of all departmental plans for implementation of the County's Affirmative Action Plan and return to the 1992 Internal Operations Committee by January 31, 1992 with their comments and recommendations. For this purpose, refer to the 1992 Internal Operations Committee the oversight of the departmental plans for the implementation of the County's Affirmative Action Plan.
5. Express to the County Administrator the Board's dismay that three County departments (West County Fire Protection District, Office of the Superior Court Administrator-Jury Commissioner, and Social Services Department) were unable to submit their implementation plans within the prescribed deadlines, even with three months advance notice and request the County Administrator to insure that these plans are submitted immediately.
6. Request the Affirmative Action Officer to conduct an analysis of the completeness and adequacy of each department's affirmative action implementation plan and share her comments and recommendations with the County Administrator for his subsequent discussion with the department heads.
7. Clarify the Board's intent that the following goals be established for individual County departments and for the County as a whole, as is indicated:
  - A. Each County department has as a goal to achieve parity with the workforce in Contra Costa County in terms of women and minorities, measured by "class" or "occupational grouping" as those terms are defined by the Affirmative Action Officer.
  - B. The County as an employer has as a goal to achieve parity with the working age population in Contra Costa County in terms of the percentage of women and minorities who are employed by the County.
  - C. The County as an employer has as a goal to achieve parity with the countywide labor force by occupational grouping and salary level, as those terms are agreed on between the Affirmative Action Officer and Director of Personnel, recognizing that the County may be limited in terms of how such data can be presented, depending on what comparable data on the general labor force is available.
8. Request the Affirmative Action Officer to prepare and make available to the Internal Operations Committee data which compares the women and minority employment by salary level in the general population with similar data for the County as an employer.
9. Request the Director of Personnel to insure that all new County employees attend the County's Affirmative Action/Equal Employment Opportunity/Sexual Harassment and Adapting to Cultural Diversity Workshop as a part of their new employee orientation and that all County employees attend such training not less often than once every ~~three~~ years.

**BACKGROUND:**

On July 9, 1991, the Board of Supervisors approved recommendations from our Committee in the area of affirmative action, including agreeing to establish an Advisory Council on

Equal Employment Opportunity and asking all departments to prepare and submit a plan for how that department would implement the County's Affirmative Action goals.

On October 14, 1991, our Committee met with the Affirmative Action Officer, Director of Personnel and a number of concerned individuals. We received and reviewed applications from those who have applied for membership on the Advisory Council. Since the members of our Committee do not know all of the applicants, we would like the opportunity to interview all of the applicants and then make recommendations for appointments to the Advisory Council.

We were pleased that all but three departments have submitted their implementation plans. In reviewing the plans we noted some omissions which need to be completed and several plans which appear to be excellent. We are, therefore, asking the Affirmative Action Officer to review each of the plans and advise the County Administrator of areas in which each plan may require additional work. Once amended plans are submitted, we would like the Advisory Council to review them and comment on the implementation plans to the 1992 Internal Operations Committee by January 31, 1992.

We have suggested the need to clarify some of our goals which may not have been clear when originally adopted by the Board in July and have, therefore, outlined more clearly what we intend in terms of comparing the County's workforce with that in the private sector.

cc: County Administrator  
Scott Tandy, Chief Assistant Administrator  
Emma Kuevor, Affirmative Action Officer  
Harry Cisterman, Director of Personnel

# emtrain

## Fostering a Diverse & Inclusive Workplace

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## Introduction

Workplace diversity is a people issue, where we try to understand our differences and similarities. We define diversity broadly to include not just race and gender, but all the different identities and perspectives that people bring, such as profession, education, parental status, geographic location and so forth.

Diversity is about including and learning from others who are not the same as us... about dignity and respect for everyone, and about creating a workplace environment that encourages learning from others and leverages the diverse perspectives and contributions.

This course has the following objectives:

- To increase your understanding of how your identity influences how you perceive others and how others perceive you
- To understand our filters and how filters create barriers
- To leverage our differences to create more business value
- To foster and promote a more diverse, inclusive workplace

## Why is Diversity Important

What is the business case for diversity? Certainly, it is the “right thing to do.” But beyond that, diversity can improve the quality of our workforce and provide us a competitive business advantage. As society changes, our markets and customers change and our workforce must reflect those changes as well.

Traditional “minority” groups are now the majority in 6 out of the 8 largest cities in the United States with a combined buying power in the billions of dollars. Women are the primary investors in more than half of U.S. households. A diverse workforce can better understand our customers, identify market needs and suggest potential new products and services.

Diversity initiatives can attract the best and brightest employees to our workplace. Our future depends on the quality of our employees today and our ability to attract and retain the top-notch talent of tomorrow.

We also need a diverse workforce to increase our creativity and innovation since employees from varied backgrounds can bring different perspectives, ideas and solutions to the table.

Our society is quickly changing and it's up to us to broaden our horizons and expand our awareness of different types of people.

## Dimensions of Identity

In order to understand and foster diversity, we all need to become aware of and understand our own social and personal characteristics and how those characteristics influence our perspective.

We also need to understand the characteristics of other people with whom we work and do business.

The first step to awareness is to understand the 4 dimensions of identity:

- Individual
- Primary
- Secondary
- Universal

Individual identity means those core characteristics that make up our unique personality and perspective on life.

Primary identity refers to those characteristics that we cannot easily change such as our race, gender, age, and so forth.

Secondary identity consists of characteristics that are more easily changed such as our marital status, religion, education, income level, and so on.

Universal identity means those traits we all share and can understand in one another such as our love for our family.

### Individual Identity

We all have a unique way of interacting with others and a unique perspective. Individual identity is the most powerful motivator of how a particular person will think or act. Our individual identity is far more relevant and predictive of how we will act than our primary or secondary identity.

So, understanding someone's individual identity is the best way to understand and predict that person's behavior and reactions.

### Primary Identity

Our primary identity consists of core characteristics that have a powerful effect on our perspective AND on how others perceive us. Examples of primary identity include:

- Race
- Gender
- Age
- Ethnicity and National Origin
- Disabilities

- Sexual Orientation

According to the Society for Human Resources Management (SHRM), the 9 factors we first notice about someone are:

- Race
- Gender
- Age
- Appearance
- Facial expressions
- Eye contact
- Movement
- Personal space
- Touch

We notice what matters to us. So the fact that race, gender, and age are the top three things we notice about someone indicates the role our primary identity plays in how we perceive others and how others perceive us.

## Secondary Identity

Our secondary identity can change over time, but it also affects our perspective and how others perceive us. Secondary identity dimensions can include:

- Marital or parental status
- Religion
- Education
- Income level
- Geographic location
- Career
- Sports, hobbies or other personal interests

The primary and secondary identity dimensions can either be a source of commonality between people, OR, a difference that separates people.

## Universal Identity

Our universal identity includes those traits we all share and can relate to as human beings across the globe such as:

- Love for family
- Need to support family
- Need for dignity and respect
- Need for esteem and a sense of belonging

## Bias & Stereotype

As we mature, our perspective on people and situations increasingly stems from our life experiences and the attitudes of our friends and family. While this is a very natural evolution, it also creates blinders that cloud how you view people.

These blinders become stereotypes and biases.

## What are Stereotypes and Biases?

A stereotype is a conventional, formulaic, and oversimplified conception, opinion, or image.

Bias is a preference or an inclination, especially one that inhibits impartial judgment.

## Identifying Your Blinders

Blinders are intangible feelings that get in the way of facts.

To identify blinders, ask yourself questions such as:

- Do I have the same reaction to members of a given group each time you encounter him or her?
- Do I have these reactions before--or after--I have a chance to know the individual?

If the answer is “before you know the individual,” you’re operating on stereotypes and blinders.

Work to label these automatic responses as stereotypes and remind yourself that they are not valid indicators of one’s character, skills or personality.

Stereotyping is a learned habit, and it can be unlearned with practice.

## Common Challenges

Diversity challenges can stem from all types of identity differences. However, there are a few common diversity challenges that we all seem to experience and that would be helpful to explore further.

### Gender

The gender difference is arguably the greatest difference and therefore, the greatest challenge for people working together.

### Race

Race and cultural background plays a big factor in either uniting or dividing people, depending on whether a person is “in the group” or outside it.

When fostering an inclusive workplace, the key is to get to know and include all types of people... not just those who look and act like you.

### National Origin & Cultural Differences

In today’s society, it’s relatively common to work alongside people who were born in different countries and exposed to very different cultural backgrounds.

Also, given increasing globalization, it’s easy for any company to conduct business globally and work with people from all over the world. Therefore, becoming more aware of cultural differences is essential.

Not surprisingly, it’s easier for people to accurately recognize emotions within their own culture than in others. A Chinese businessperson is more likely to accurately label the emotions underlying the facial expressions of a Chinese colleague than those of an American colleague.

So here is a diversity tip: people need to know the emotional norms in each culture they do business in, or the cultures of the people they work with, to minimize unintended signals or miscommunications. Expanding your knowledge base and doing a little cultural research could provide huge dividends.

### Religion

Every year some people in the workplace feel excluded and/or uncomfortable during the holiday season. Remember that many religions have important celebrations not only during the month of

December, but at other times of the year as well. Be respectful and be inclusive of everyone's celebration.

## Language

This is one of the most common tensions in today's workforce. A growing percentage of the workforce speaks two or more languages. Be respectful and be open-minded. Don't assume someone is talking about you if he or she is speaking in a language you can't understand. If you are multilingual, try to avoid speaking in another language in front of others who can't understand, as it often makes them feel uncomfortable and excluded.

## Generational Issues

While each generation has its merits and strengths, their weaknesses and stereotypes can cause tension and disrespect. Younger workers may not appreciate or understand the intense work lives of Baby Boomers. Each generation also has a different view of, and approach to communication. While you may not subscribe to the text-messaging habits of Millennials, it's important to appreciate every generation's modes of communication to better manage an age-diverse staff.

The chart below shows some generalized differences between the 4 generations working together in today's workplace.

Generalized Differences	Traditionalist	Baby Boomers	Gen X	Millenials
<b>Work Style</b>	By the book: HOW is as important as WHAT gets done	Get it done whatever it takes--nights & weekends	Find the fastest route to results; protocol secondary	Work to deadlines--not necessarily to schedules
<b>Communication</b>	Formal and through proper channels	Somewhat formal and through structures network	Casual and direct; sometimes skeptical	Casual and direct; eager to please
<b>Work/Family</b>	Work and family should be kept separate	Work comes first	Value work/life balance	Value blending personal life into work
<b>Loyalty</b>	To the organization	To the importance and meaning of work	To individual career goals	To the people involved with the project
<b>Technology</b>	"If it ain't broke, don't fix it!"	Necessary for progress	Practical tools for getting things done	"What else is there?"

# Breaking Down Barriers

We are each responsible for changing our stereotypes and taking down our blinders. Here, we will look at five easy steps to minimize blinders and foster a more inclusive environment.

## Break Assumptions

- Collect information
- Divide out the facts from your opinions and theories
- Make judgment based only on the facts
- Periodically refine your judgment based on the facts
- Try to continue expanding your opinion of a person's potential.

## Empathize

In order to understand people from different cultures, empathy is vital. Try to put yourself in someone else's shoes to see or appreciate their point of view.

## Involve

Learn about the values and beliefs of others in the organization. Involving others in your world and involving yourself in others empowers and educates. Identify ways to value uniqueness among your colleagues. Look for ways to be inclusive and don't build walls between people.

## Avoid Herd Mentality

Herd mentality refers to a one-dimensional, group perspective. This way of thinking curbs creativity, innovation and advancement as people are limited in how they can approach or engage with different types of people. An inclusive environment can only develop if people are encouraged to think as individuals, and share their different ideas and perspectives.

## Do Not Tolerate Insensitive Behavior

People can and do behave insensitively. By attacking someone's person, you attack their dignity, which can only be divisive. Cultural competency is based upon people thinking through words and actions to ensure they do not act inappropriately. When insensitive behavior is witnessed, it is the responsibility of all to shun it and ensure it remains unacceptable.

## Mentoring

Mentors can be critical to an employee's success in an organization.

Providing strong mentors helps employees develop confidence, competence and credibility in an organization - traits that lead to career advancement.

Mentors provide critical support in 5 ways:

- Mentoring relationships open the door to challenging assignments that allow employees to gain professional competence.
- By trusting and investing in the employee, a mentor sends a signal to the rest of the organization that the employee is a high performer, which helps the employee gain confidence and establish credibility.
- Mentors provide crucial career advice and counsel that prevents their protégés from getting sidetracked from the path leading to the executive level.
- Mentors often become powerful sponsors later in the employee's career, recruiting them repeatedly to new positions.
- Mentors protect their protégés by confronting subordinates or peers who level unfair criticism, especially if the criticism has discriminatory undertones.

All in all, mentoring is a win, win strategy. It helps the career advancement of employees AND it helps the organization DEVELOP and RETAIN diverse talent.

## Conclusion

Fostering diversity is good for business. As organizations compete in an increasingly global marketplace, the different perspectives and experiences gained by having a rich mix of employees will be important to produce creative thinking, innovative solutions and a broader appeal to a larger customer base.

But to foster diversity, we first need to appreciate the strength we gain from our differences and diversity.

Here are 4 ways to show our appreciation for diversity:

- **Value it:** Valuing differences is a critical first step in melding a productive and inclusive workforce. Differences are an advantage, but only if you recognize them as such.
- **Demonstrate:** Talk is easy. Demonstrating your appreciation of differences and helping to create a more inclusive environment is more difficult. Be willing to consider and/or implement new ideas and ways of dealing with issues.
- **Reward:** You need to reward people who demonstrate an appreciation for everyone's uniqueness. Rewarding inclusive behavior is critical.

- **Learn:** Learn from colleagues whose value base and experiences are different from yours. Your efforts at learning send a message to your colleagues that you appreciate and value their differences. What develops when you are willing to learn from others is mutual respect, better communication and a greater understanding among everyone.

By understanding our own identity and blinders, and those of others, we can understand and appreciate our differences. By appreciating and being sensitive to our differences, we can foster a diverse and inclusive workplace, and leverage our diversity for our benefit.

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## Questions?

Feel free to ask questions about this topic by emailing  
**[legalteam@emtrain.com](mailto:legalteam@emtrain.com)**

## **Inclusion, Belonging, and Excellence for One King County: Addressing Implicit Bias, Racial Anxiety, and Stereotype Threat**

### **A Note to Participants**

Thank you for being brave and open while you participate in this discussion, and for your commitment to ending racism within our lifetime. This session is designed to foster a nurturing community of learning, where all participants feel empowered to share and have positive interactions.

### **Achieving Fairness and Opportunity in King County Government Practices**

Ensuring fairness and opportunity in how we operate as King County government and how we serve our communities, requires *proactively* dismantling institutional and structural racism.

The concepts and tools provided in this discussion enable us to actively and effectively promote equitable outcomes in our workplaces and communities.

### **Taking an Implicit Association Test (IAT)**

Before you join this discussion, please take the Race Implicit Association Test and at least one other IAT of your choice:

<https://implicit.harvard.edu/implicit/takeatest.html>

A considerable part of this discussion is about understanding our individual unconscious biases – yes, we *all* have them. The IAT is an educational tool that evaluates a baseline of some of our most common unconscious biases.

*The IAT can only be taken on a computer.* It is advised that you take the IATs in a private place where you feel comfortable.

### **Feedback**

How did it go? Share your insights with [jake.ketchum@kingcounty.gov](mailto:jake.ketchum@kingcounty.gov), [candace.jackson@kingcounty.gov](mailto:candace.jackson@kingcounty.gov), or [arun.sambaturo@kingcounty.gov](mailto:arun.sambaturo@kingcounty.gov).

# Inclusion, Belonging, and Excellence for One King County: Addressing Implicit Bias, Racial Anxiety, and Stereotype Threat

## Participant Guide\* Total time = 90 minutes

### Part 1: Getting Started (15 minutes)

**Purpose:** Achieve King County Equity and Social Justice foundational practice of “fostering an organizational culture that promotes fairness and opportunity.”<sup>†</sup>

### Discussion Goals

1. Understand the concept of implicit bias and begin to identify our individual biases.
2. Learn how we experience racial anxiety and stereotype threat, and how these experiences impact our workplace and community interactions.
3. Discuss ways to mitigate implicit bias at decision points:
  - Hiring
  - Work relationships
  - Policy (drafting, interpretation, implementation)
  - Community engagement
  - Customer service
  - Personnel supervision

---

\* Revised by Rachel Godsil from Within Our Lifetime Facilitator Guide created by Patrick L. Scully, Ph.D. Clearview Consulting, LLC. Adapted for King County Equity and Social Justice.

For more information, see <http://www.withinourlifetime.net/Blog/index.html>

<sup>†</sup> King County Ordinance 16948. October 2010 (Pg. 4, Line 80.)

**Guidelines for Multicultural Interactions** (by Laurin Mayeno and Elena Featherston, 2006, adapted from VISIONS, Inc.)

**Be present...** Bring your full attention to the process. Acknowledge anything that you need to let go of in order to be present.

**Try on new ideas, perspectives...** Be willing to open up to new territory and break through old patterns. Remember, “try on” is not the same as “take on.”

**It’s OK to disagree...** Avoid attacking, discounting or judging the beliefs and views of others. Instead, welcome disagreement as an opportunity to expand your world.

**Confidentiality...** It helps to remember that the story belongs to the teller.

**Step up, step back...** Be aware of sharing space in the group. Respect the different rhythms in the room; it is ok to be with silence.

**Self-awareness...** Respect and connect to your thoughts, feelings and reactions in the process. Monitor the content, the process and yourself.

**Check out assumptions...** This is an opportunity to learn more about yourself and others; do not “assume” you know what is meant by a communication especially when it triggers you – ask questions.

**Practice “both/and” thinking...** Making room for more than one idea at a time means appreciating and valuing multiple realities.

**Intent is different from impact...** and both are important. It is also important to own our ability to have a negative impact in another person’s life despite our best intention.

**Listen deeply...** Listen with intent to hear, listen for the entire content and what is behind the words. Engage heart and mind -- listen with alert compassion.

**Speak from the “I...”** is speaking from one’s personal experience rather than saying “we,” it allows us to take ownership of thoughts, feelings and actions.

**Instructions for Participants**

- *Around your table/group, share what you hope to get out of this discussion.*

## Part 2: Understanding the Concepts (45 minutes, with video)

Short video from Rachel Godsil's presentation at the 2014 ESJ Annual Forum – Building a Culture of Equity (28 min.): [https://www.youtube.com/watch?v=AGIRt-5HX\\_E&feature=em-share\\_video\\_user](https://www.youtube.com/watch?v=AGIRt-5HX_E&feature=em-share_video_user)

**Implicit bias** refers to the process of associating stereotypes or attitudes toward categories of people without conscious awareness.

**Racial anxiety** is discomfort about the experience and potential consequences of inter-racial interaction:

- People of color can be anxious that they will be the target of discrimination and hostile or distant treatment;
- Whites can be anxious that they will be assumed to be racist and, therefore, will be met with distrust or hostility.

People experiencing racial anxiety often engage in less eye contact, have shorter interactions, and generally seem—and feel—awkward. Not surprisingly, if two people are both anxious that an interaction will be negative, it often is. So racial anxiety can result in a negative feedback loop in which both parties' fears appear to be confirmed by the behavior of the other.

**Stereotype threat** occurs when a person is concerned that she will confirm a negative stereotype about her group. When people are aware of a negative stereotype about their group in a domain in which they are identified, their attention is split between the activity at hand and concerns about being seen stereotypically.

### **Implicit Association Test** (drawing from Discussion Materials, Patricia Devine) **(15+minutes)**

#### **Questions for Participants**

- *Have you taken the Race IAT and one other IAT of your choice?*
- *What are your thoughts or reactions?*
- *What does it mean for how you work with your colleagues? The public?*

If you took the Race IAT and found it easier to pair white faces with positive words and black faces with negative words or the Gender IAT and found it easier to associate words linked to work with men and family to women, you are not alone. More than 85% of whites are shown to have a “preference” for whites, for example. The good news is that this “preference” is not fixed – you can change it – and that you can make sure your behavior is not affected by this automatic response that is not consistent with your conscious beliefs.

### Part 3: Preventing Effects of Implicit Bias (30 minutes)

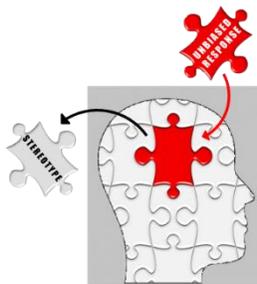
It is important that people consciously engage in the process (Wald and Tropp<sup>\*‡</sup>, 2013):

- Have intention and motivation to bring about change
- Become aware of bias
- Pay attention to when stereotypical responses or assumptions are activated
- Make time to practice new strategies

#### Instructions for Participants

*Take a moment to review the interventions handout. (2 min.) We will focus on the interventions that we can practice easily on our own as individuals, and start to develop immediately within our workplaces, to bring about positive change.*

#### Individual Interventions



**Stereotype Replacement**



**Individuation**



**Increasing opportunities for contact**

#### Institutional Interventions

- Improve Conditions of Decision-making
- Count

<sup>‡</sup> Wald, J., Tropp, L. *Strategies for Reducing Racial Bias and Anxiety in Schools* (PDF document). Retrieved from [http://www.onenationindivisible.org/wp-content/uploads/2013/11/Strategies-for-Reducing-Racial-Bias-and-Anxiety-in-Schools\\_Wald-and-Tropp.pdf](http://www.onenationindivisible.org/wp-content/uploads/2013/11/Strategies-for-Reducing-Racial-Bias-and-Anxiety-in-Schools_Wald-and-Tropp.pdf)

## Questions for Participants

Consider a specific decision point (select one from list on page 2) and discuss how we can apply these concepts and interventions that we reviewed above, during decision-making to minimize/eliminate negative impact.

1. What are some known risk areas where bias can influence interactions and decision-making?
2. How is implicit bias, racial anxiety, or stereotype threat at play?
3. How can you determine whether bias, racial anxiety or stereotype threat might be impacting decisions?
4. Which of the interventions (see definitions sheet) are likely to be most useful and how can they be applied to the situation?
5. How will you measure success?

### **FOOD for THOUGHT**

(additional reading on these mind sciences)

***Blindspot: Hidden Biases of Good People*** by Mahzarin Banaji and Anthony Greenwald, explore hidden biases that we all carry from a lifetime of experiences with social groups – age, gender, race, ethnicity, religion, social class, sexuality, disability status, or nationality.

***Whistling Vivaldi: How Stereotypes Affect Us and What We Can Do (Issues of Our Time)*** by Claude M. Steele offers a vivid first-person account of the research that supports his groundbreaking conclusions on stereotypes and identity.



## Guidelines for Multicultural Interactions

**Be present...** Let go of anything that might be a distraction (deadlines, paperwork, children, etc.) and be intentional about your purpose in this moment. Bring your full attention to the process. Acknowledge anything that you need to let go of in order to be present.

**Try on new ideas, perspectives ...** as well as concepts and experiences that are different than your own. Be willing to open up to new territory and break through old patterns. Remember, "try on" is not the same as "take on."

**It's OK to disagree...** Avoid attacking, discounting or judging the beliefs and views of others. Discounting can be verbally or non-verbally. Instead, welcome disagreement as an opportunity to expand your world. Ask questions to understand the other person's perspective.

**Confidentiality...** There is another dimension of confidentiality that includes "asking permission" to share or discuss any statement another person makes of a personal nature. It helps to remember that the story belongs to the teller.

**Step up, step back...** Be aware of sharing space in the group. If you are person who shares easily, leave space for others to step into. Respect the different rhythms in the room, it is ok to be with silence. If you are a person who doesn't speak often, consider stepping forward and sharing your wisdom and perspective.

**Self awareness...** Respect and connect to your thoughts, feelings and reactions in the process. Be aware of your inner voice and own where you are by questioning why you are reacting, thinking and feeling as you do. Monitor the content, the process and yourself.

**Check out assumptions...** This is an opportunity to learn more about yourself and others; do not "assume" you know what is meant by a communication especially when it triggers you – ask questions.

**Practice "both/and" thinking...** Making room for more than one idea at a time means appreciating and valuing multiple realities (it is possible to be both excited and sad at the same time) – your own and others. While either/or thinking has its place it can often be a barrier to human communication

**Intent is different from impact...** and both are important. It is also important to own our ability to have a negative impact in another person's life despite our best intention. In generous listening, if we assume positive intent rather than judging or blaming, we can respond, rather than reacting or attacking when negative impact occurs.

**Listen deeply ...** Listen with intent to hear, listen for the entire content and what is behind the words. Encourage and respect different points of view and different ways of communicating. Engage heart and mind -- listen with alert compassion.

**Speak from the "I"...** is speaking from one's personal experience rather than saying "we," it allows us to take ownership of thoughts, feelings and actions

Laurin Mayeno and Elena Featherston, 2006  
Adapted from VISIONS, Inc.



## Definitions of Interventions\*

### Implicit Bias Interventions

Studies have shown that people who engage in the strategies described below reduce their implicit bias, are more aware of and concerned about discrimination, and are more enthusiastic about inter-racial contact. (Devine et al, 2012)

*The following are steps that individuals can take to “break the prejudice habit” (Devine et al, 2012):*

**Stereotype replacement:** 1) Recognize that a response is based on stereotypes, 2) label the response as stereotypical, and 3) reflect on why the response occurred. This creates a process to consider how the biased response could be avoided in the future and replaces it with an unbiased response.

**Counter-stereotypic imaging:** Imagine counter-stereotypic others in detail – friends, co-workers, respected community members, even celebrities. This makes positive images more available and begins the process of replacing the negative, often inaccurate stereotypes.

**Individuation:** Learn specific information about your colleagues. This prevents stereotypic assumptions and enables association based on personal and unique, rather than group, characteristics.

**Perspective taking:** Imagine oneself to be a member of a stereotyped group. This increases psychological closeness to the stereotyped group, which ameliorates automatic group-based evaluations.

**Increasing opportunities for contact:** Increased contact between groups can reduce implicit bias through a wide variety of mechanisms, including altering their images of the group or by directly improving evaluations of the group. (Ex: learn about other cultures by attending community events and other public educational opportunities like exhibits, media, etc.)

*Institutions can establish practices to prevent these biases from seeping into decision-making.*

A group of researchers developed these four interventions listed, which have been found to be constructive (Kang et al., 2011):

1. **Doubt Objectivity:** Presuming oneself to be objective actually tends to increase the role of implicit bias; teaching people about non-conscious thought

---

\* Revised by King County Office of Equity and Social Justice in collaboration with Rachel Godsil. Adapted from Within Our Lifetime Facilitator Guide created by Patrick L. Scully, Ph.D. Clearview Consulting, LLC. For more information, see <http://www.withinourlifetime.net/Blog/index.html>



- processes will lead people to be skeptical of their own objectivity and better able to guard against biased evaluations.
2. **Increase Motivation to be Fair:** Internal motivations to be fair rather than fear of external judgments tend to decrease biased actions.
  3. **Improve Conditions of Decision-making:** Implicit biases are a function of automaticity. Think slowly by engaging in mindful, deliberate processing, not in the throes of emotions prevents our implicit biases from kicking in and determining our behaviors.
  4. **Count:** Implicitly biased behavior is best detected by using data to determine whether patterns of behavior are leading to racially disparate outcomes. Once one is aware that decisions or behavior are having disparate outcomes, it is then possible to consider whether the outcomes are linked to bias.

## Racial Anxiety and Stereotype Threat Interventions

Most of these interventions were developed in the context of the threat experienced by people of color and women linked to stereotypes of academic capacity and performance, but can be useful in the work place and are also be translatable to whites who fear confirming the stereotype that they are racist so can be useful in reducing racial anxiety.

**Social Belonging Intervention:** Help employees realize that people of every identity category experience some challenge when they begin a new job or new set of responsibilities but that those feelings abate over time. This has been shown to have the effect of protecting employees from stigmatized identity categories from assuming that they do not belong due to their race or other identity category and helped them develop resilience in the face of adversity.

**Wise Criticism:** Convey high expectations and belief in the capacity to meet them. Giving feedback that communicates both high expectations and a confidence that an individual can meet those expectations minimizes uncertainty about whether criticism is a result of racial bias or favor (attributional ambiguity). If the feedback is merely critical, it may be the product of bias; if feedback is merely positive, it may be the product of racial condescension.

**Behavioral Scripts:** Setting set forth clear norms of behavior and terms of discussion can reduce racial anxiety and prevent stereotype threat from being triggered.

**Growth Mindset:** Teaching people that abilities including the ability to be racially sensitive are learnable/incremental rather fixed has been useful in the stereotype threat context because it can prevent any particular performance for serving as “stereotype confirming evidence.”



Local and Regional Government  
**alliance on**  
**race & Equity**

# Equity Workshop

Building Healthy Communities  
The California Endowment Staff & Partners

November 24, 2014



## Objectives:

- Increase understanding of the **role and opportunity** for governmental work on racial equity
- Learn about key **strategies** to support racial equity work
- Enhance understanding of key racial equity **concepts** and how they apply to government



# Racial inequity



● **100%**

Likelihood that race is a determinant for key health and social indicators in life.

● **10 years**

Difference in life expectancy based on zip code in King County.



# Racial equity means:

- “Closing the gaps” so that race does not predict one’s success, while also improving outcomes for all
- To do so, have to:
  - ✓ Target strategies to focus improvements for those worse off
  - ✓ Move beyond “services” and focus on changing policies, institutions and structures



# Types of bias

## Explicit bias

Expressed directly

Aware of bias

Operates consciously

## Implicit bias

Expressed indirectly

Unaware of bias

Operates sub-consciously



# Example of implicit bias

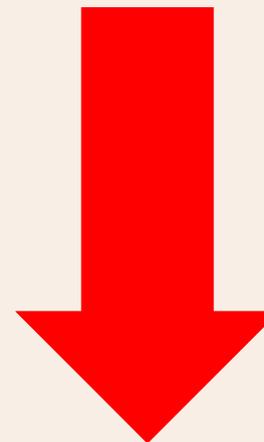
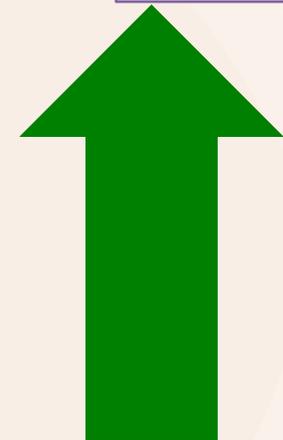
Job search - identical resumes, apart from names

More “white-sounding” names

- ✓ 50% more callbacks for jobs than “African-American sounding” names.

Susan Smith

50% more call-backs.



LaKeshia  
Washington



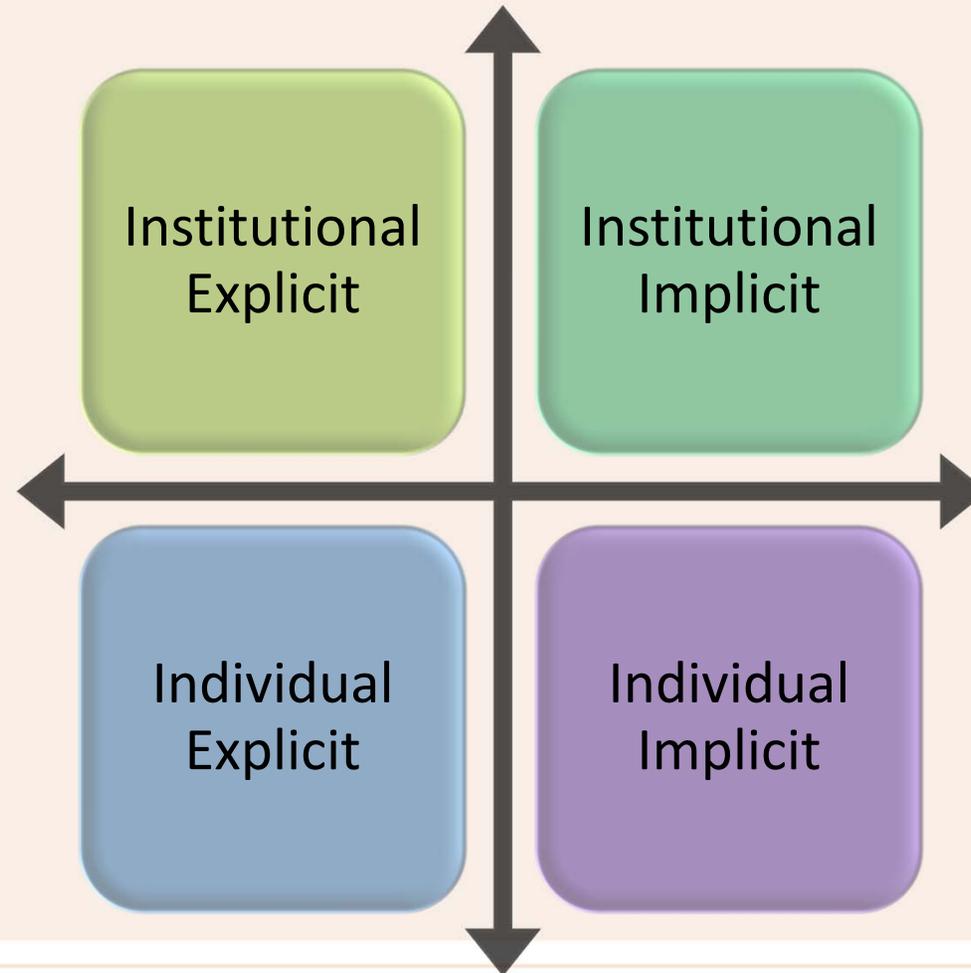
# What to do with bias?

- Suppressing or denying biased thoughts can actually increase prejudice rather than eradicate it.
- Research has confirmed that if we openly challenge our biases, we can develop effective strategies and make more progress.



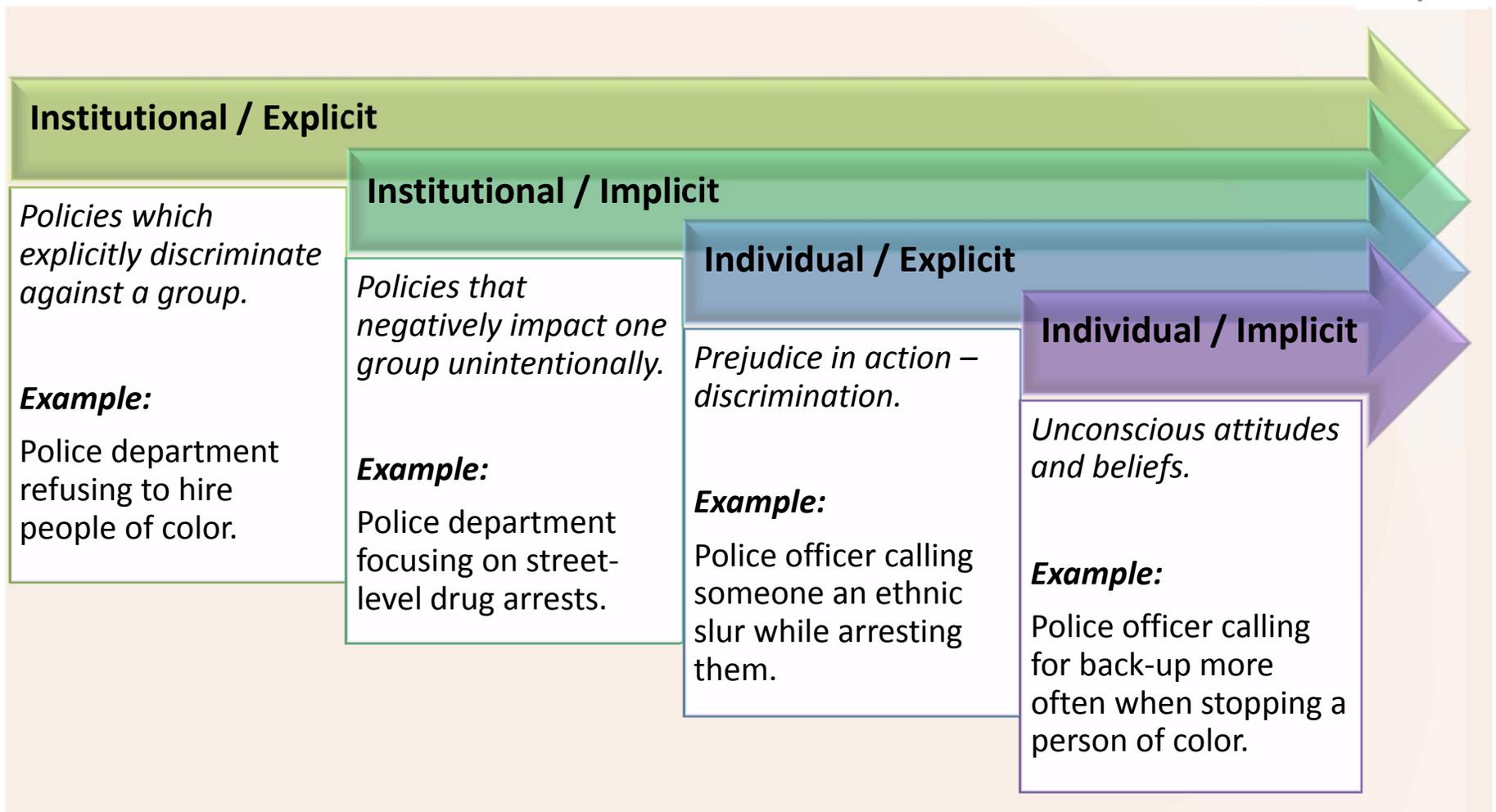


# What creates different outcomes?





# What creates different outcomes?





# Re-framing racism

## Individual racism:

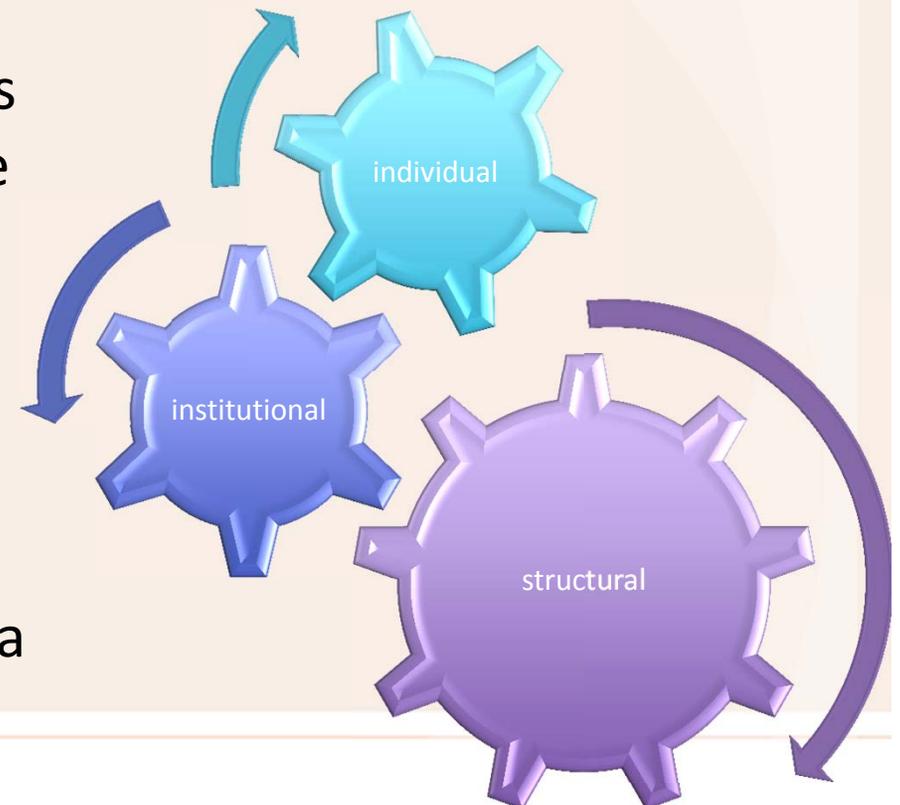
- Pre-judgment, bias, or discrimination by an individual based on race.

## Institutional racism:

- Policies, practices and procedures that work better for white people than for people of color, often unintentionally or inadvertently.

## Structural racism:

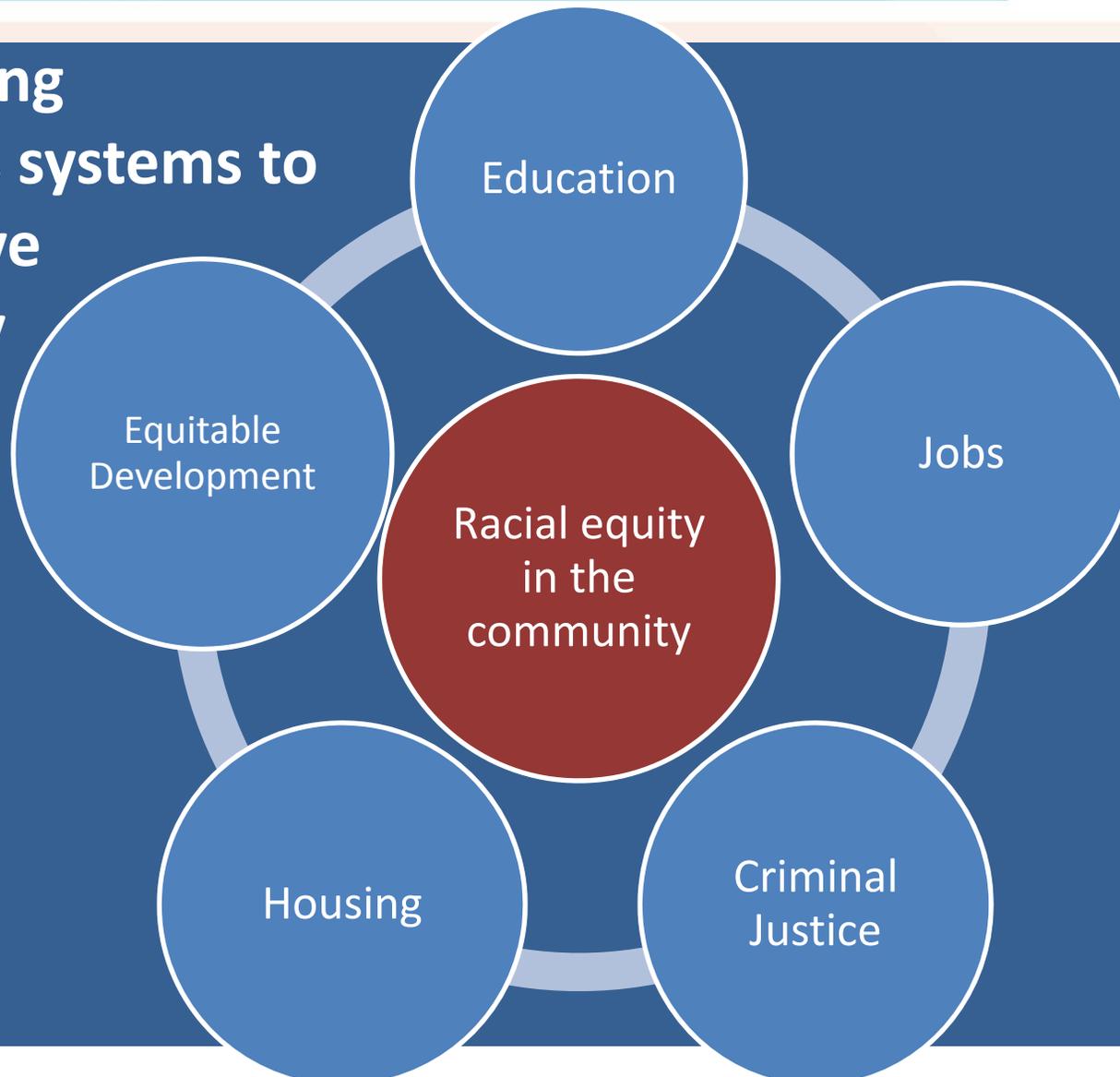
- A history and current reality of institutional racism across all institutions, combining to create a system that negatively impacts communities of color.





# Achieving equity

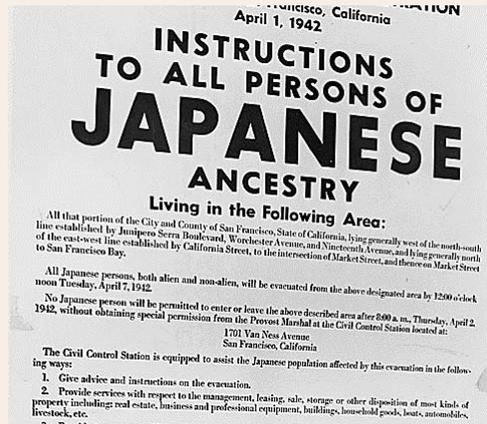
**Working  
across systems to  
achieve  
equity**





# History of Government

## Explicit bias



Government explicitly creates and maintains racial inequity

## Implicit bias



Discrimination illegal, but “race-neutral” policies and practices perpetuate inequity.

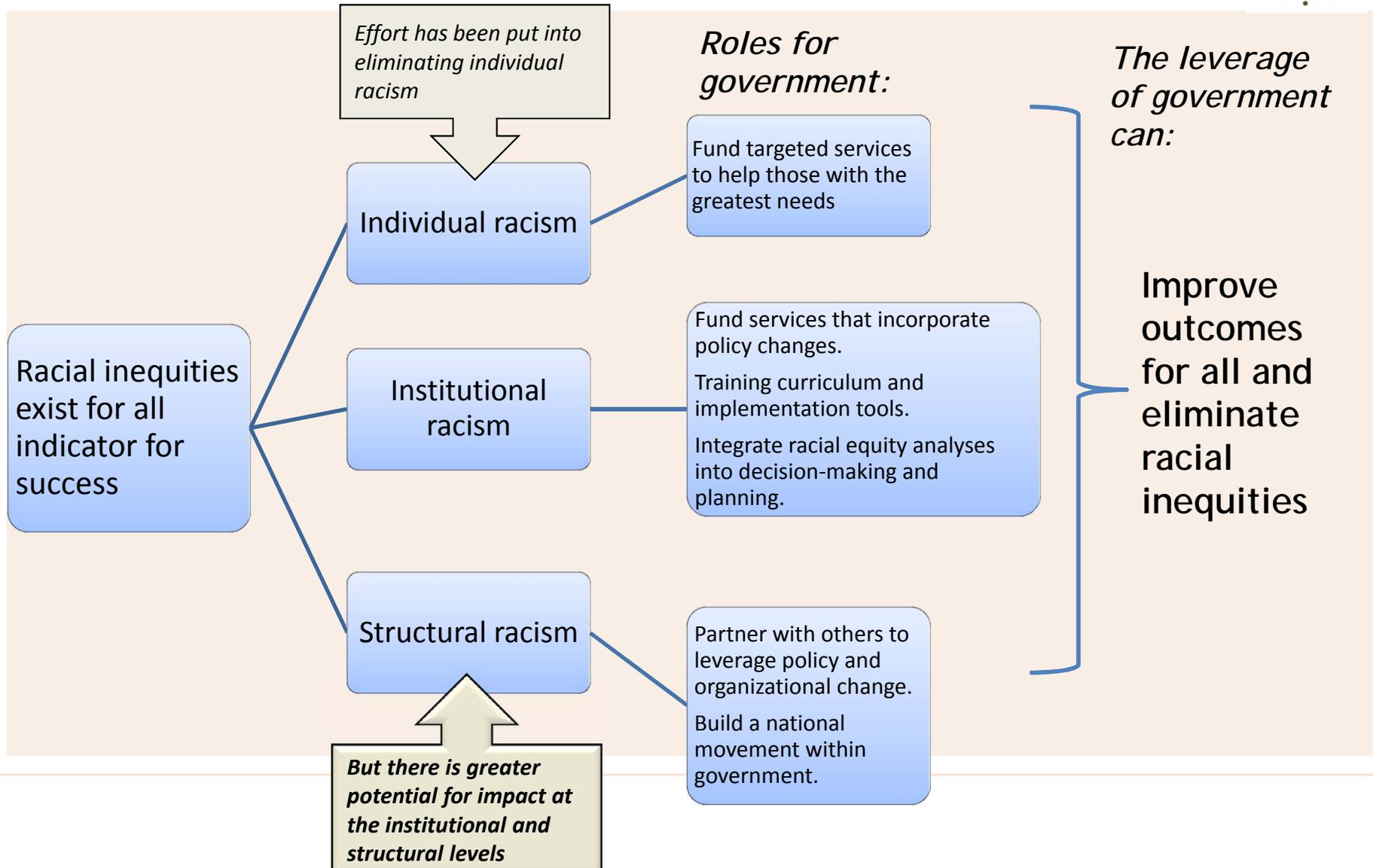
## Government for racial equity



Proactive policies, practices and procedures for achieving racial equity



# Governmental roles in working towards racial equity





# Effect of governmental transformation in community



So we can achieve racial equity



Liberates community



Transforming government to  
proactively work for racial  
equity



# Government's work for racial equity

## Example:

- Seattle Race and Social Justice Initiative



# Seattle lessons learned:

Develop and  
use a common  
analysis

Build capacity  
and  
infrastructure

Change  
behavior and  
use tools

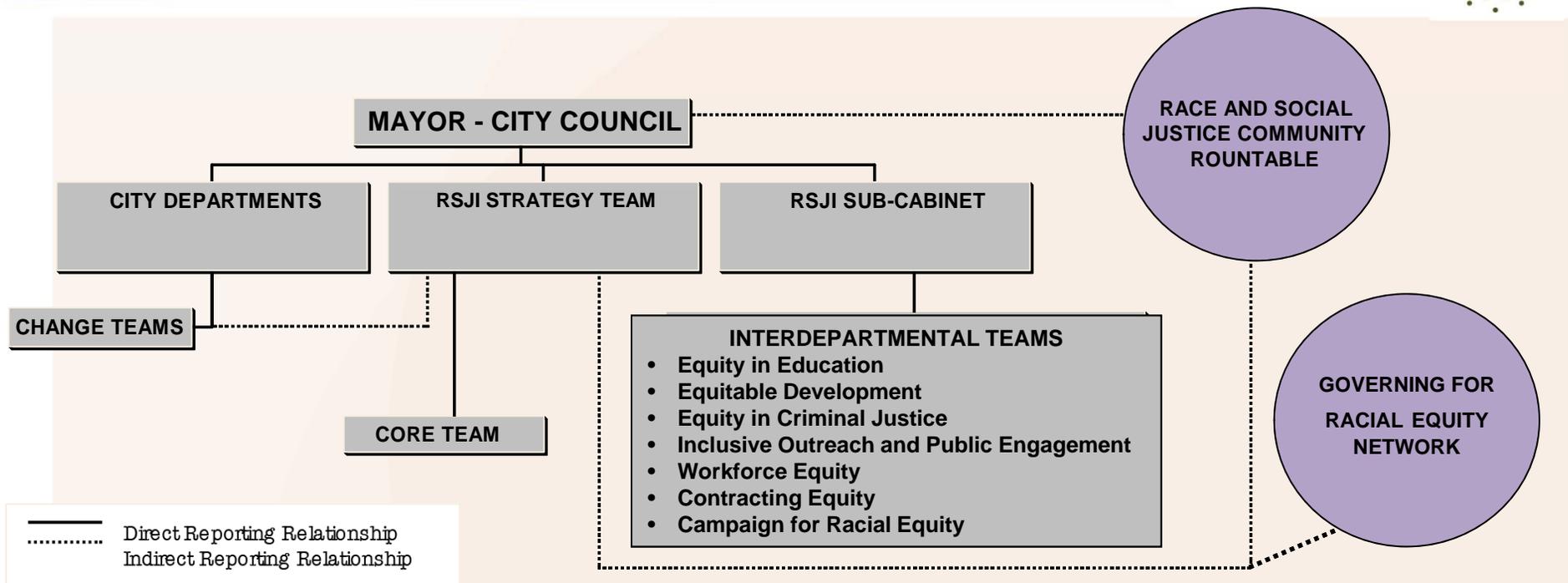
Be data driven

Partner across  
sectors with  
community

Move with  
urgency



# Build capacity



## Working Groups

**RSJI Strategy Team** – The Initiative managing team from the Seattle Office of Civil Rights (SOCR)

**Change Team** – A group of employees in each department that help implement RSJI activities and work plans.

**Core Team** – A Citywide leadership development team of 25 people that work with IDT's to implement RSJI activities.

**RSJI Sub-Cabinet** – Department Directors or deputies who advise and review RSJI activities.

**Interdepartmental Teams** – Convened by lead departments to develop and implement Citywide strategies and community partnerships to address racial inequity.

**RSJ Community Roundtable** – A coalition of 25 government and community based organizations working for racial equity in King County.

**Governing for Racial Equity Network** – A regional network of government agencies in Washington, Oregon and northern California working on issues of equity.



# RSJI Employee Survey 2012



“Examine impact of race at work”



“Actively promoting RSJI changes”



“Dept and City making progress”



**Move with urgency**

# Collective impact

## For racial equity

Common  
agenda

Shared  
measurement

Mutually  
reinforcing  
activities

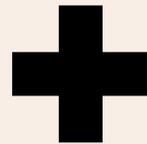
Continuous  
communication

Backbone  
organization



# Racial equity collective impact

Collective  
impact



Shared racial  
foundation,  
leadership  
development,  
capacity  
building

Racial  
equity



# Move with urgency

## Latest successes:

- RACE: are we so different?  
partnership with Pacific Science
- Structural racism partnership fund
- Expanded support from new Mayor



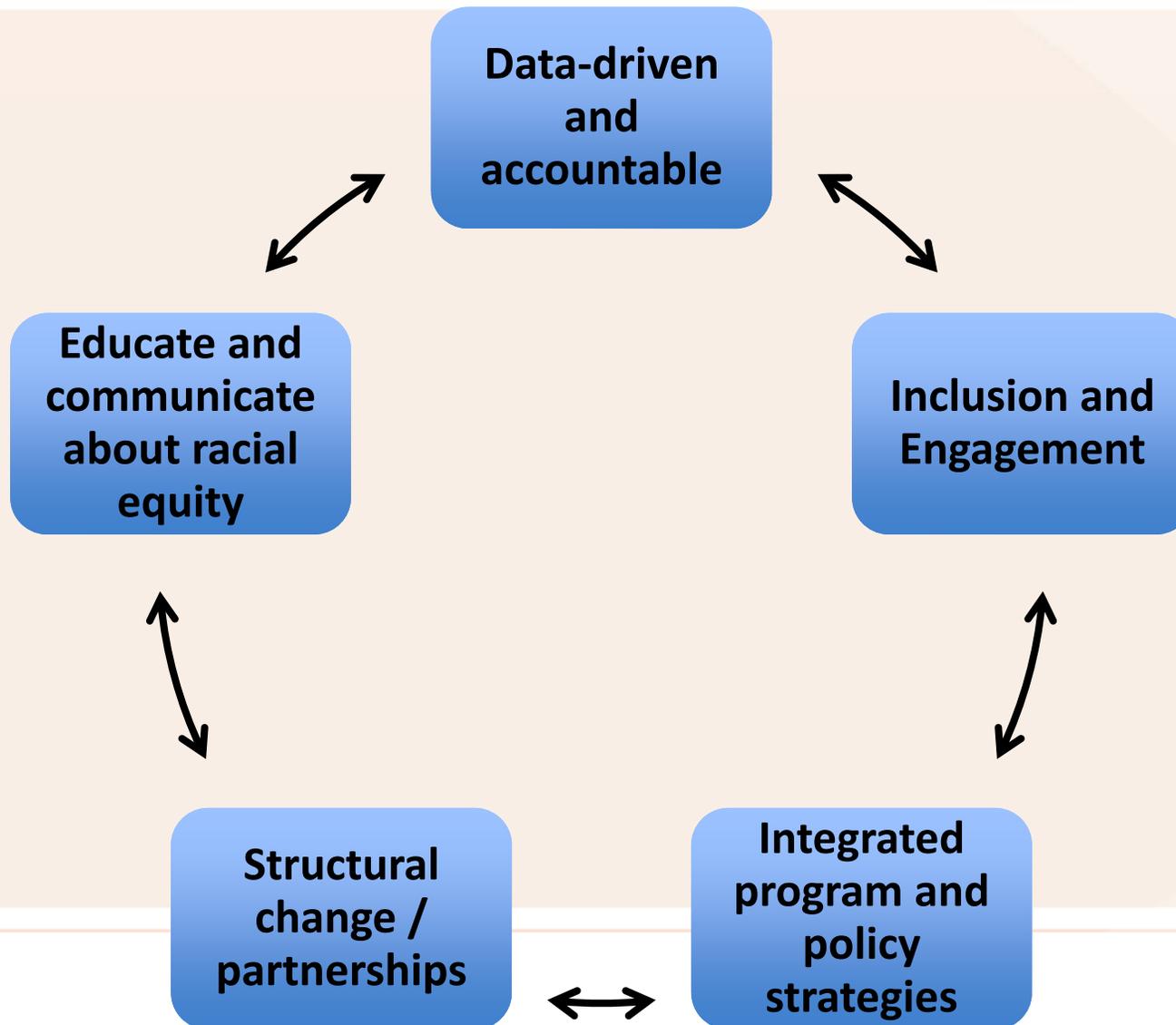
# Government's work for racial equity

## East Salinas

- How did it get started?
- What is the community's role?
- How is the role of government evolving?
- How is healing a part of the work?



# Racial Equity Toolkit





# Racial Equity Toolkit

- A Racial Equity Toolkit can be used in budget, policy and program decisions.
- Examples:
  - ✓ Streetlights / complaint-based systems
  - ✓ Restrictions on use of criminal background checks in hiring processes
  - ✓ Contracting policies and procedures
  - ✓ Court appearances



# How does change occur?

**political  
concept**

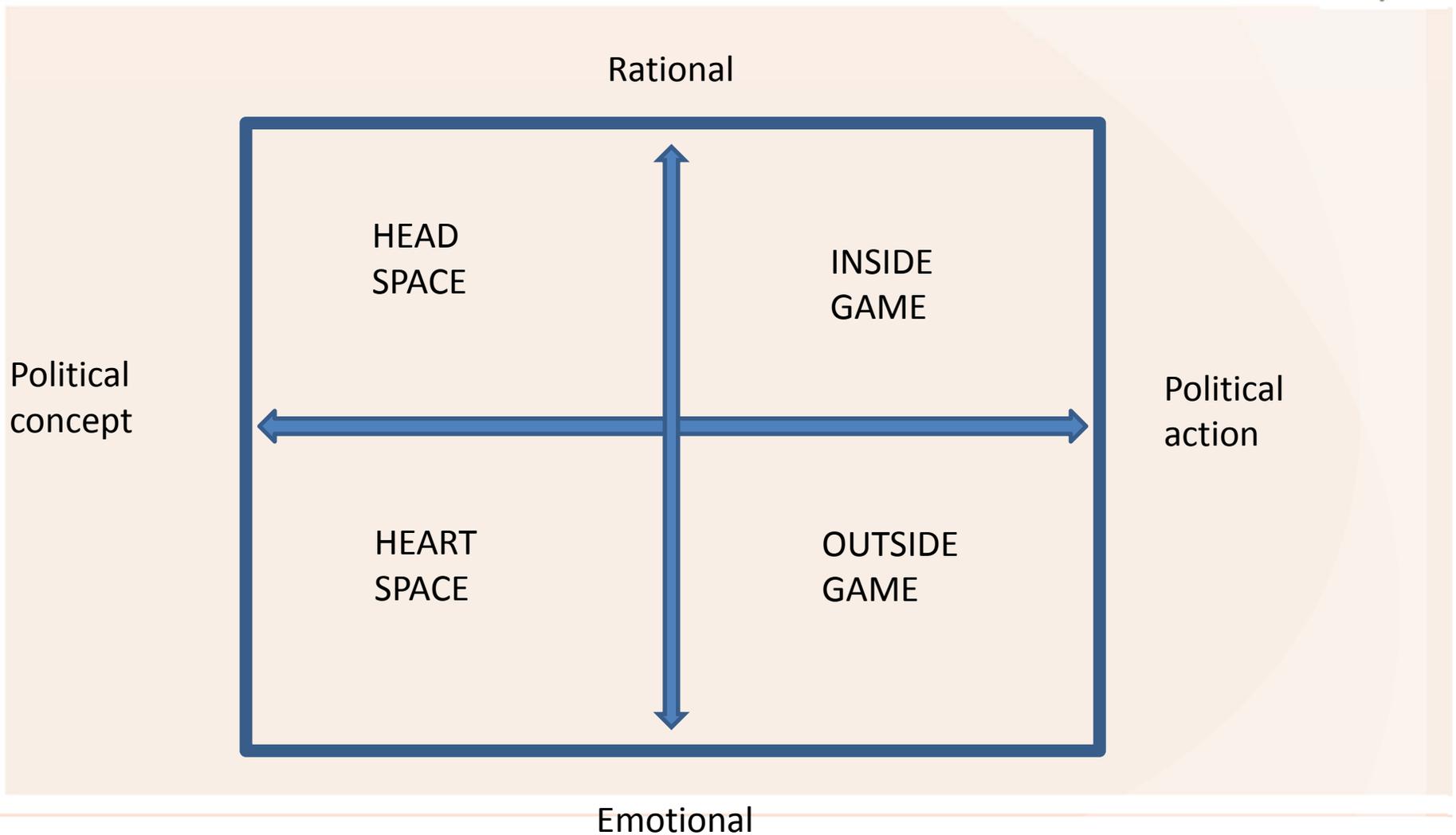


**political  
action**

Van Jones's "Heart Space/Head Space Grid"  
from Rebuild the Dream (2012)



# How does change occur?





# Head, heart, inside, outside

- All four quadrants are important.
- The key is a dynamic balance.

Pair-up – where are you most comfortable?  
What are your strategies to round-out  
the other quadrants?



# Transactional /transformational change

*“The single biggest failure in change initiatives is to treat adaptive challenges like technical problems.”*



# Transactional /transformational change

Technical Problems / Transact	Adaptive Problem / Transform
Easy to identify	Easy to deny (difficult to identify)
Often lend themselves to routine solutions using skills and experience readily available	Require changes in values, beliefs, roles, relationships, and approaches to work
Often solved by an authority or expert	People with the problem do the work of solving it
Require change in just one or a few places; often contained within organizational boundaries	Require change in numerous places; usually cross organizational boundaries
People are generally receptive to technical solutions	People try to avoid the work of “solving” the adaptive challenge
Solutions can often be implemented quickly—even by edict	“Solutions” require experiments and new discoveries; they can take a long time to implement and cannot be implemented by edict



# Transactional /transformational examples

Technical Problems / Transact	Adaptive Problem / Transform
Invite WMBE contractors to apply for contracts.	Educate and encourage prime contractors to subcontract with WMBE firms.  Change policies driving the results
Translate documents for limited English speaking public.	Meet with and develop relationships with immigrant and refugee communities.
Pass “ban the box” legislation	Develop a criminal justice agenda



# Building a movement

Small group discussions at each site –

- What are the opportunities and challenges in working for or with government on racial equity?
- What are the barriers?



# Building a movement

## Government Alliance on Race and Equity

A national network of government working to  
achieve racial equity and advance opportunities for  
all



# Alliance Approach

## Three Prong

Support a cohort of governmental jurisdictions.

Develop a “pathway for entry” for new jurisdictions.

Build cross-sector collaborations to achieve equity in our communities.

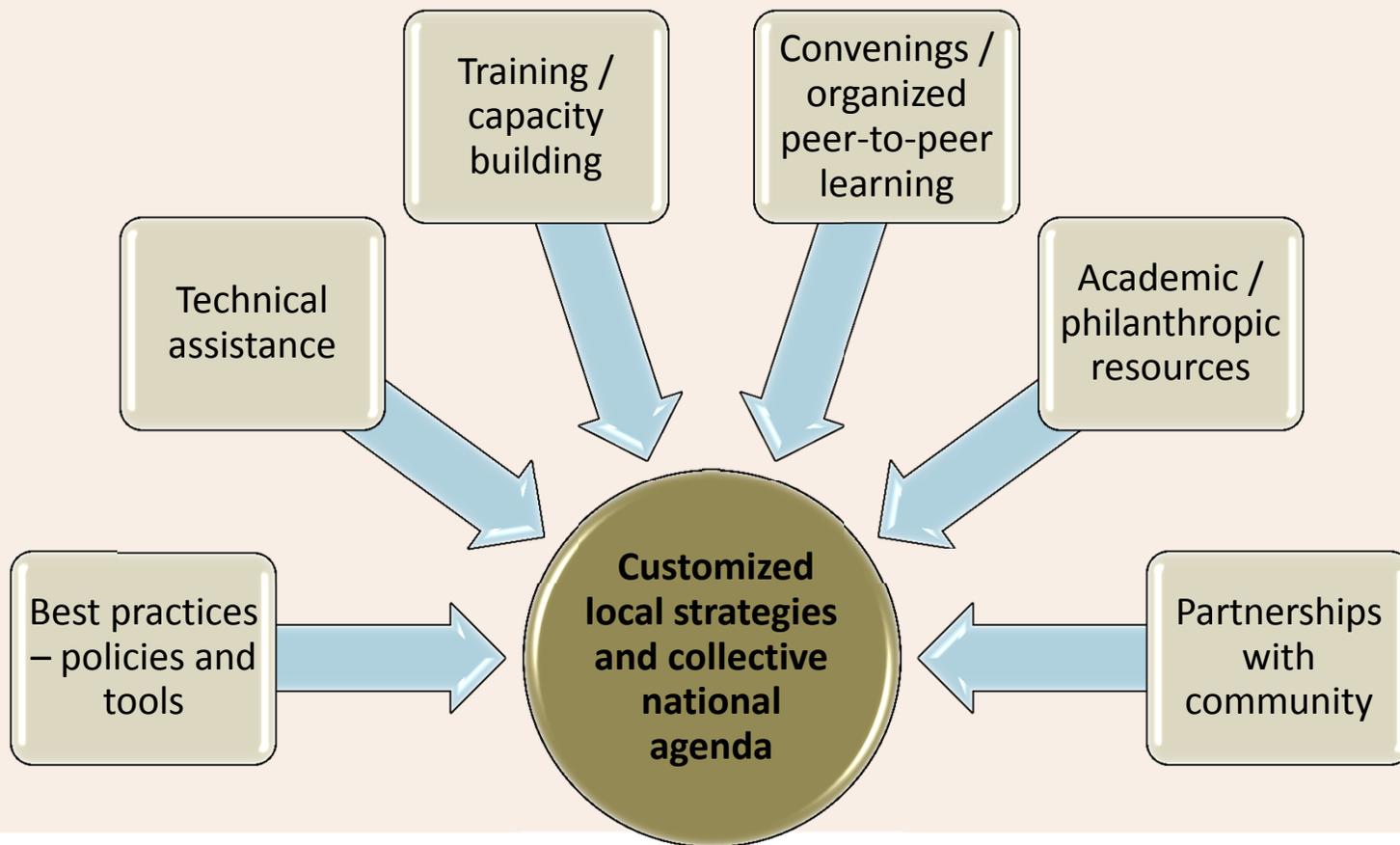


# Alliance cohort

- ✓ Commitment to racial equity.
- ✓ Supportive electeds, department leadership and expertise within front-line staff work with community
- ✓ Supportive stakeholders and partners.



# Cohort Model





# Contact information

Government Alliance on Race and Equity

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Center for Social Inclusion

Glenn Harris, President

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(206) 790-0837

# Incorporating Race and Justice Principals into Criminal Justice System Policies



Governing for Racial Equity Conference  
June 11, 2015, Seattle, Washington

# Conversation Guide

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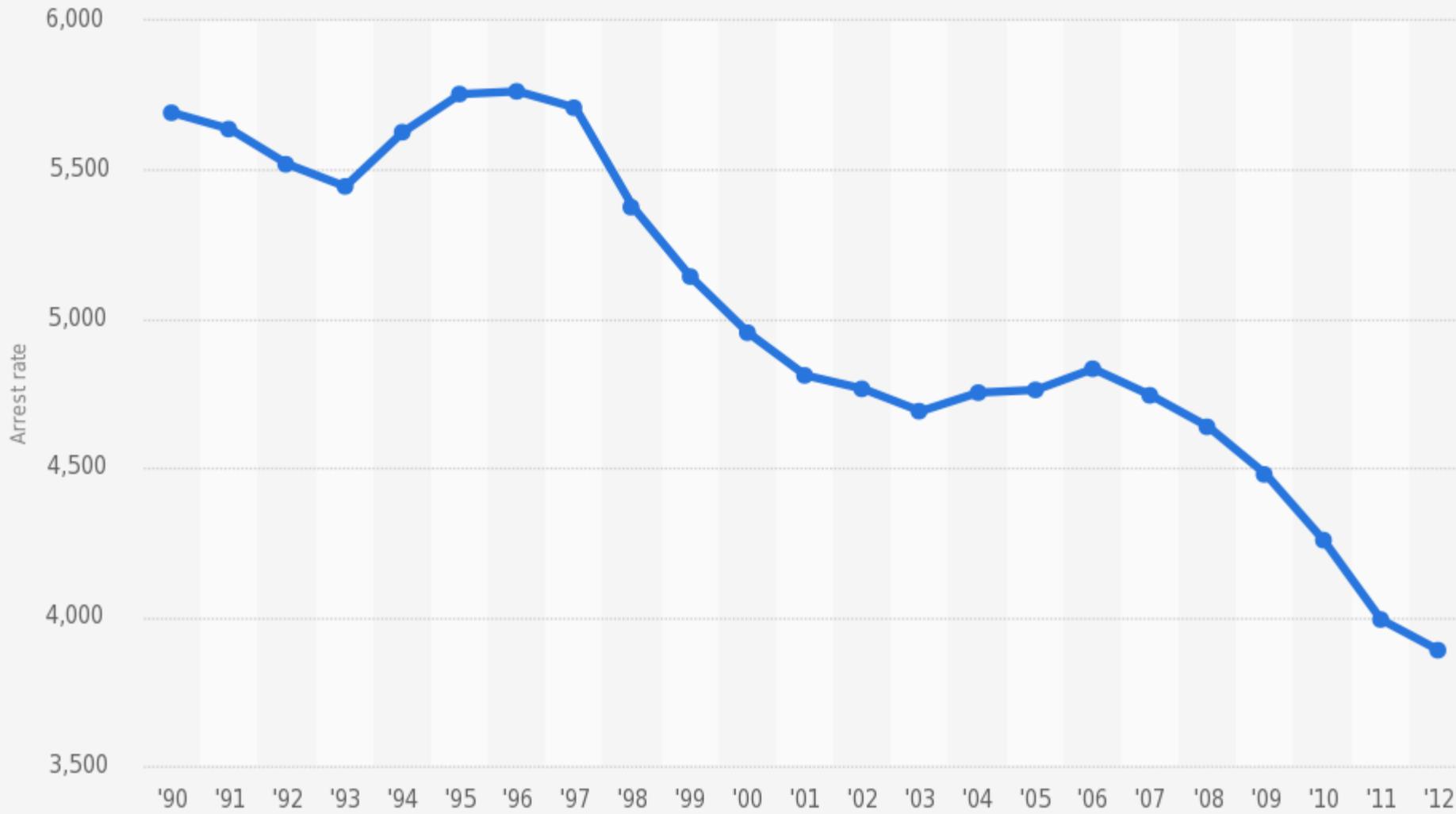


- ❧ Is incorporating RSJ principles into CJS policy necessary?
- ❧ Is incorporating RSJ principles into CJS policy possible?
- ❧ How do we incorporate RSJ principles into CJS policy?
- ❧ Provide relevant examples within the institutions where RSJ principles have been incorporated...

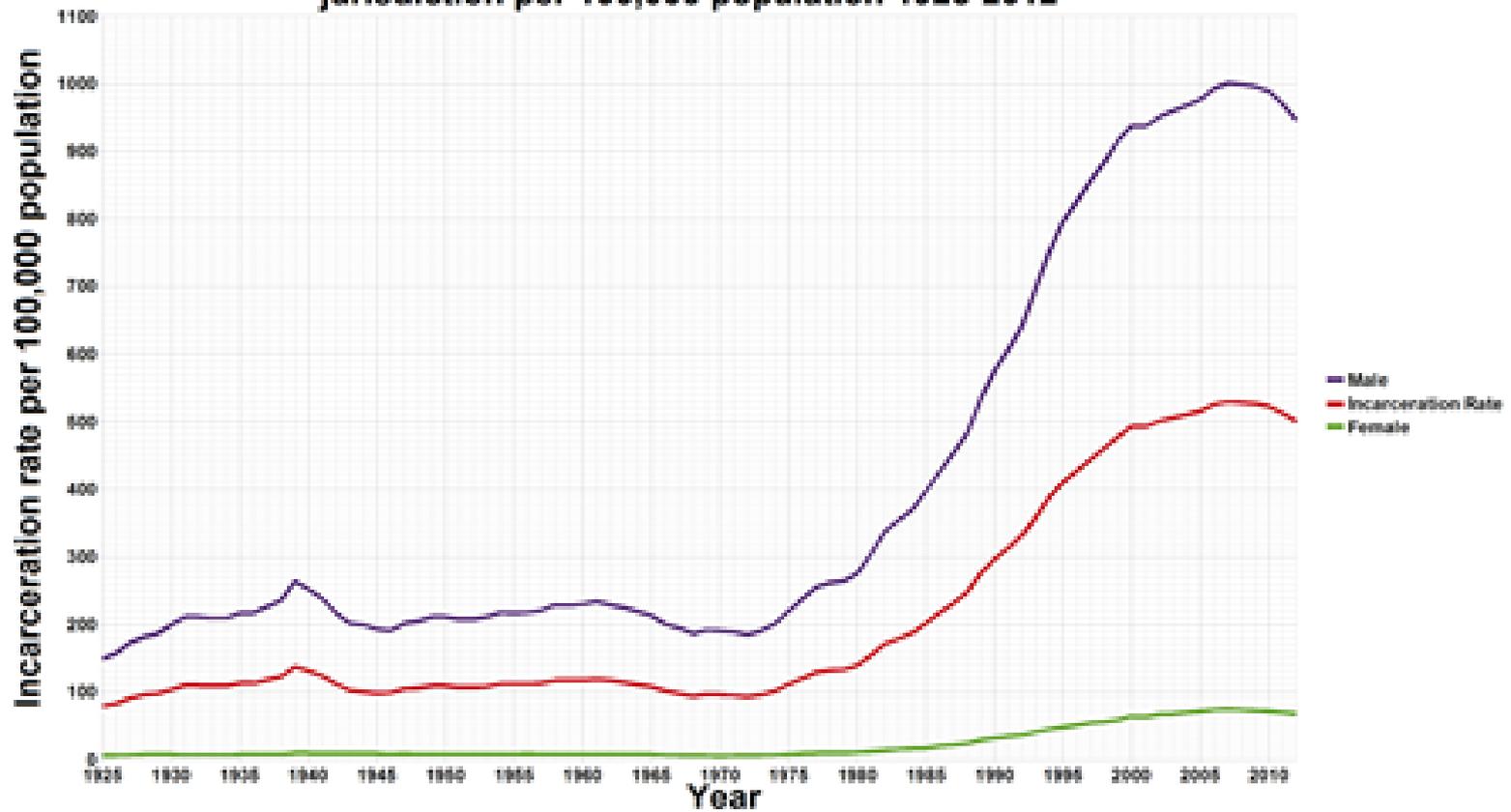


Is incorporating RSJ principles into CJS policy necessary?

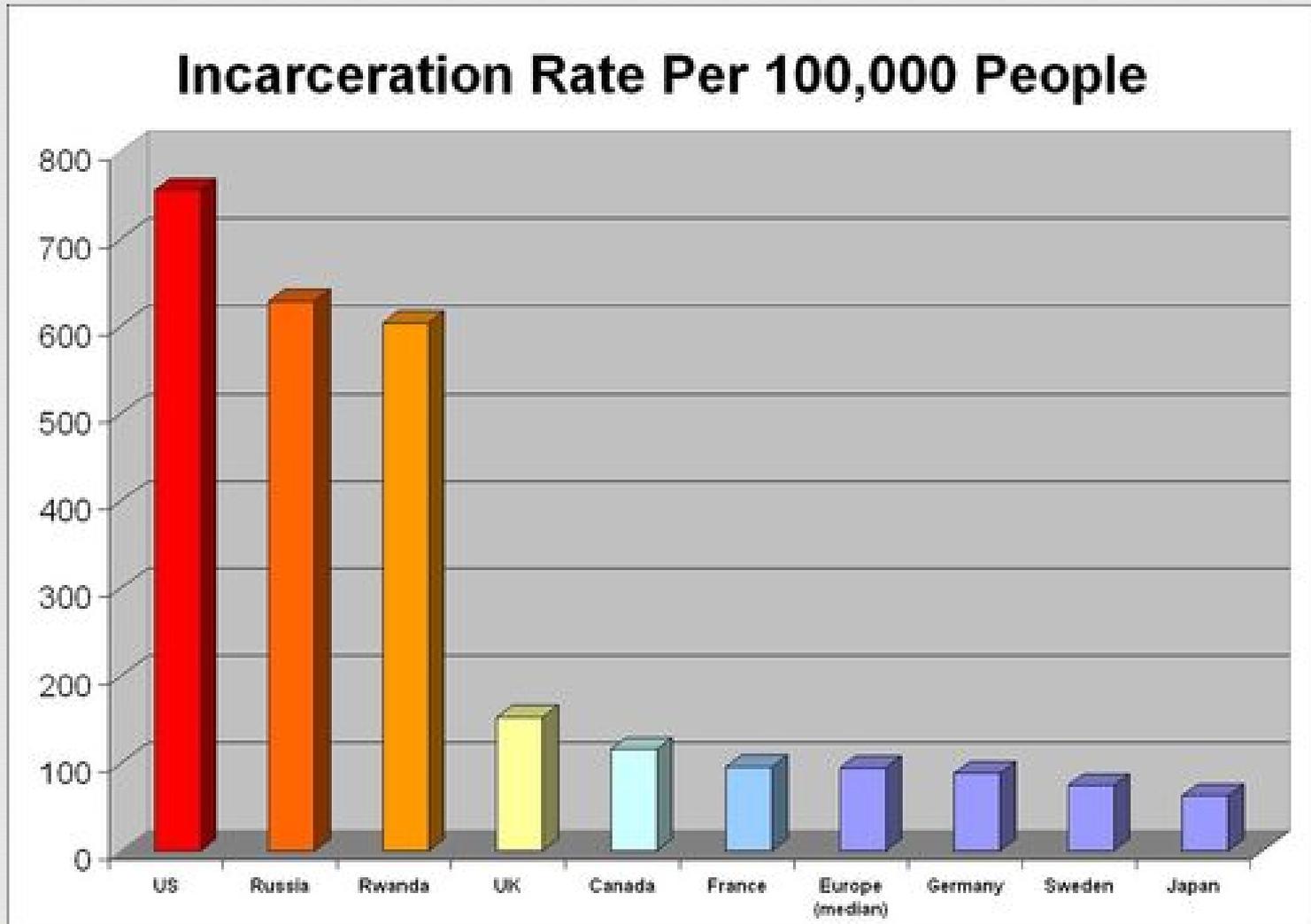
# Arrest rate for all offenses in the United States from 1990 to 2012 (arrests per 100,000 people)



### Incarceration rate of inmates incarcerated under state and federal jurisdiction per 100,000 population 1925-2012

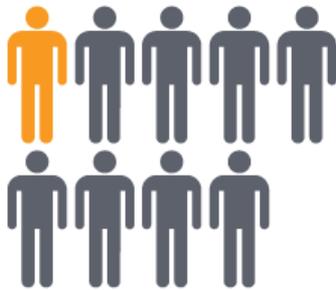


# *How do we compare?*



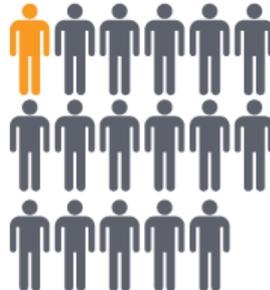
# Lifetime Likelihood of Imprisonment

All Men



1 in 9

White Men



1 in 17

Black Men



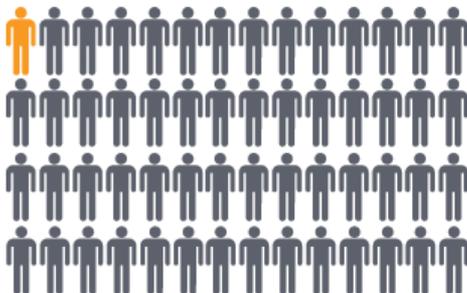
1 in 3

Latino Men



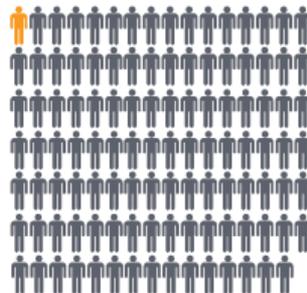
1 in 6

All Women



1 in 56

White Women



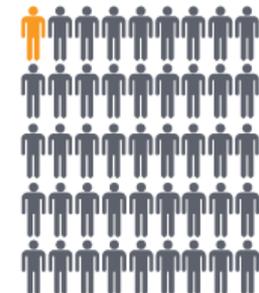
1 in 111

Black Women



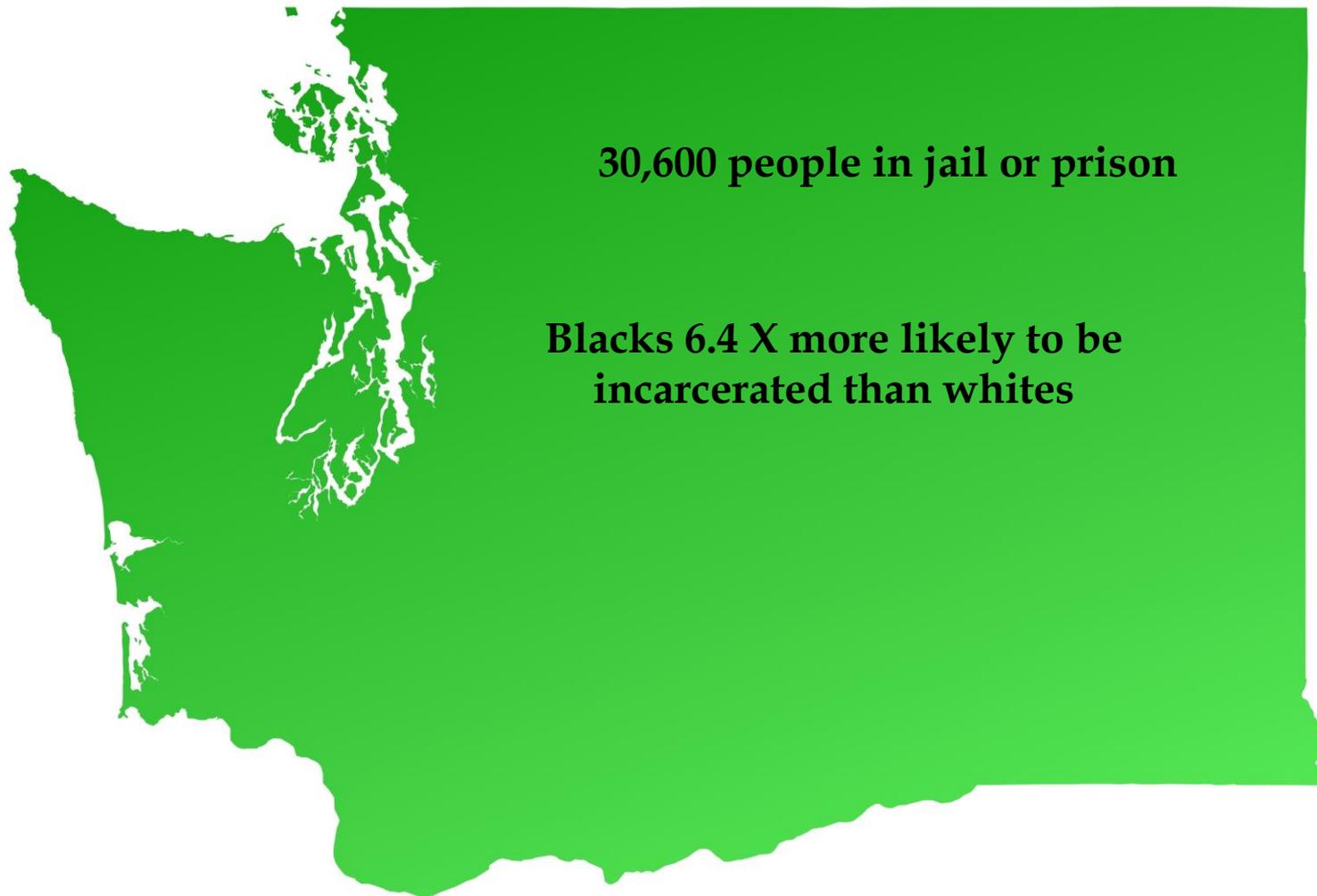
1 in 18

Latina Women



1 in 45

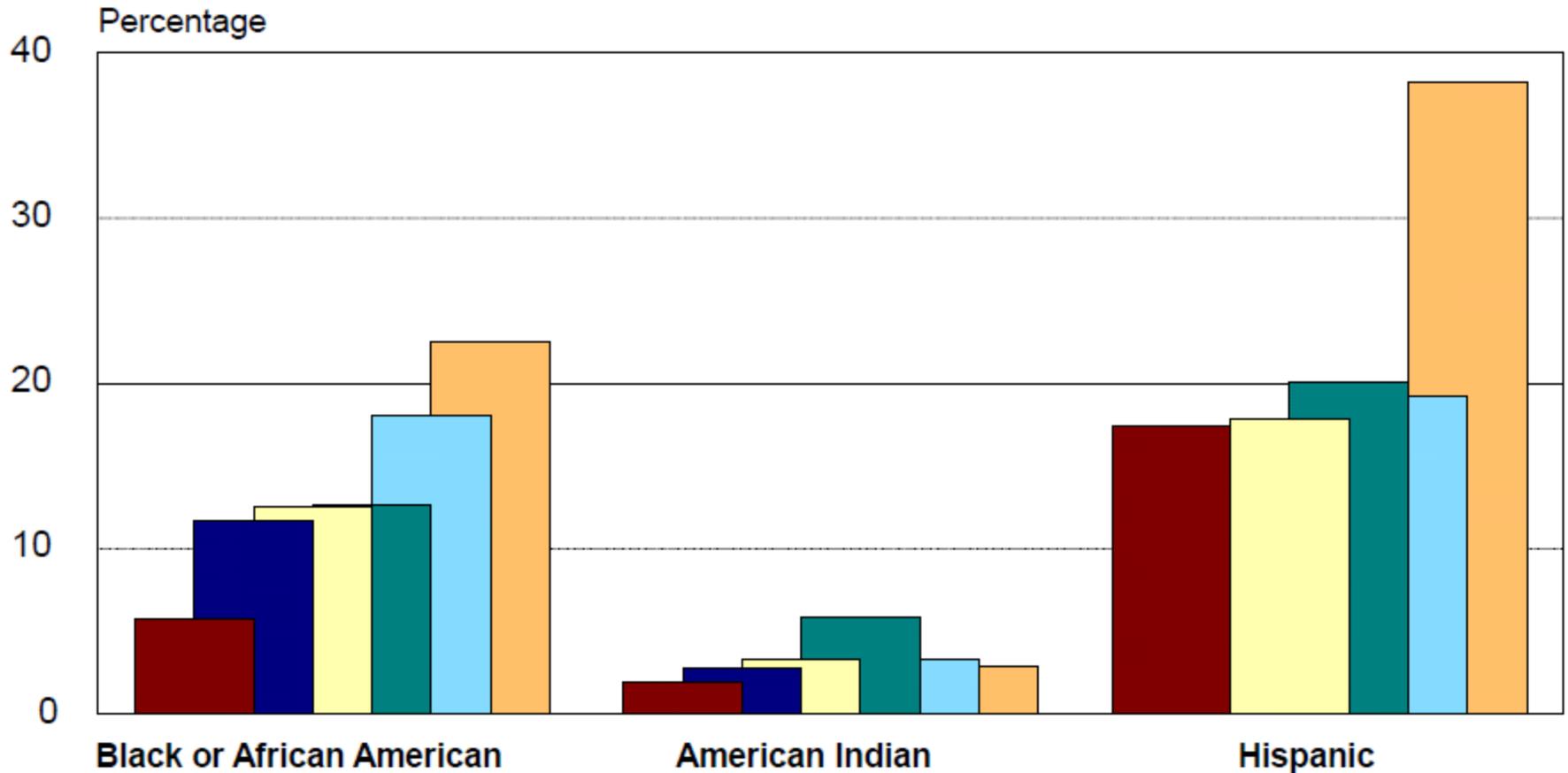
Source: Bonczar, T. (2003). *Prevalence of Imprisonment in the U.S. Population, 1974-2001*. Washington, D.C.: Bureau of Justice Statistics.



# Graph 48

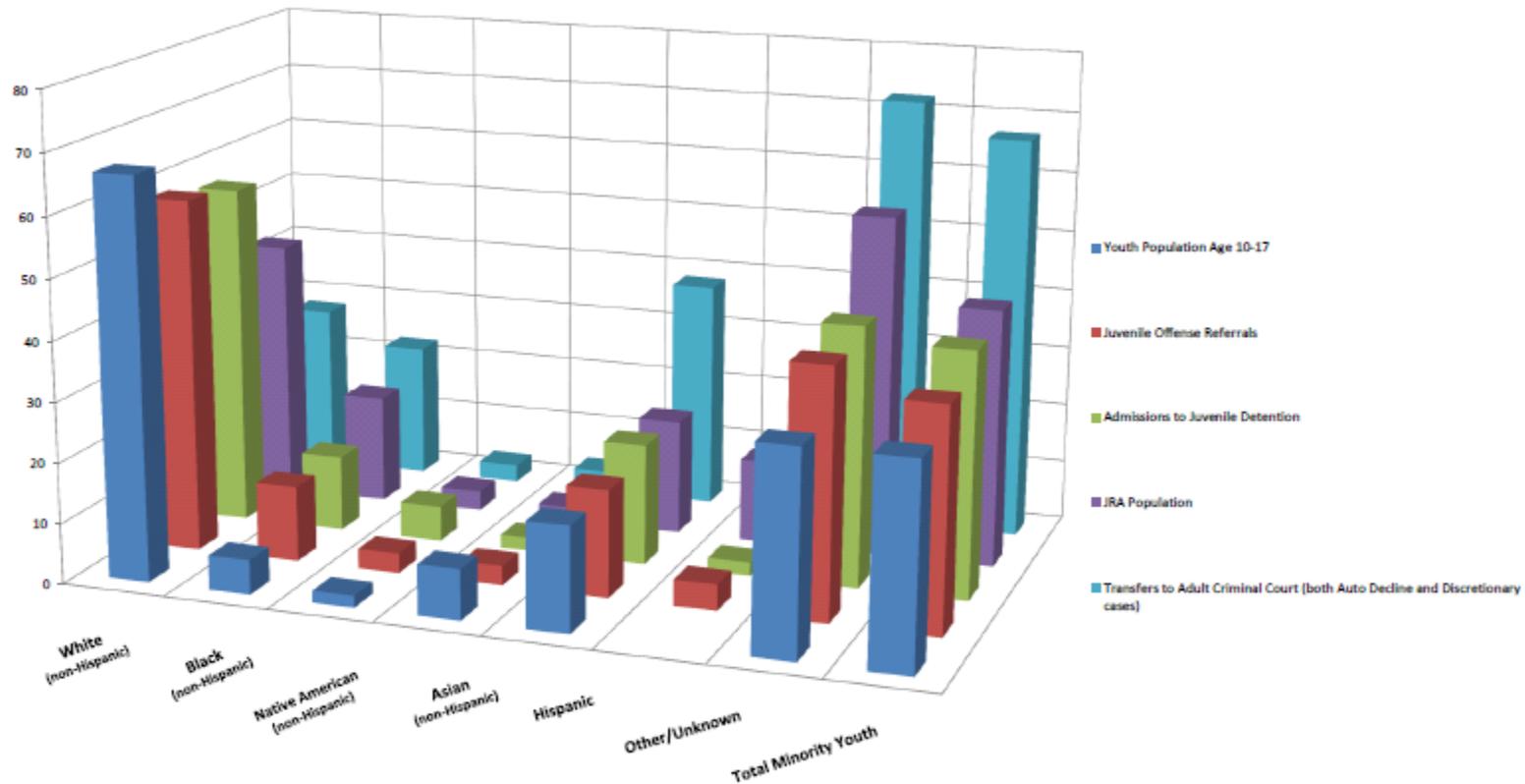
Attachment D

## The over-representation of Black, American Indian and Hispanic Youth in WA's Juvenile Justice System in 2011\*



# 2012 Washington State Juvenile Justice Annual Report available at [dshs.wa.gov](http://dshs.wa.gov)

Percentages by Race/Ethnicity at System Decision Points - 2011\*



\* The Juvenile Arrest decision point was not included in this table as Hispanic ethnicity is not reported separately (i.e., race categories include youth of Hispanic Origin). Source: Office of Juvenile Justice, DSHS; data from Tables 16, 66, 77, 83, and 91 of 2012 WA-PCJJ Juvenile Justice Report.

# Washington's Death Row



# Questions



- ❧ Is incorporating RSJ principles into CJS policy necessary
- ❧ Is incorporating RSJ principles into CJS policy possible
- ❧ How do we incorporate RSJ principles into CJS policy
- ❧ Provide relevant examples within the institutions where RSJ principles have been incorporated...

# Resources



- ❧ 2012 Washington State Juvenile Justice Annual Report:  
DSHS.WA.GOV
  
- ❧ Task Force on Race and the Criminal Justice System  
Report: <http://www.law.seattleu.edu/centers-and-institutes/korematsu-center/race-and-criminal-justice>
  
- ❧ Racial Equity Toolkit:  
[http://www.seattle.gov/Documents/Departments/RSJI/RacialEquityToolkit\\_FINAL\\_August2012.pdf](http://www.seattle.gov/Documents/Departments/RSJI/RacialEquityToolkit_FINAL_August2012.pdf)

# Panelist Contact Information



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☞ Dir. Kimberly D. Ambrose:  
[kambrose@uw.edu](mailto:kambrose@uw.edu)

☞ Prof. Carl Livingston, Jr.:  
[Carl.Livingston@seattlecolleges.edu](mailto:Carl.Livingston@seattlecolleges.edu)

# **DISPROPORTIONATE MINORITY CONTACT**

## **Reducing Disparity in Contra Costa County**

**Prepared by Monique W. Morris, M.S.  
for the Contra Costa County Probation Officer**

DECEMBER 2008

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**PART I:**

**DMC IN CONTRA COSTA COUNTY**

## **I. Introduction and Background**

In 1974, the Juvenile Justice Delinquency Prevention Action (JJDP A) mandated that states address Disproportionate Minority Confinement. In 1988, an amendment to JJDP A required states receiving Formula Grant Funds to address the disproportionate confinement and incarceration of youth of color. Disproportionate Minority Confinement was defined as when the proportion of a minority group<sup>1</sup> detained or confined exceeded their proportion in the population. A number of states participating in the data-driven, outcome focused effort to measure DMC developed and implemented a plan to reduce DMC. In 1992, the amendment to JJDP A became a core requirement to be eligible for future funding. DMC language was changed from Disproportionate Minority Confinement to Disproportionate Minority Contact (DMC), so as to include a more complete analysis of the factors that lead to confinement and/or involvement with the justice system at various points along the continuum.

National research has found many factors that contribute to Disproportionate Minority Contact, socioeconomic factors, juvenile justice system factors, educational factors, factors associated with the family and society, victimization, legal and legislative factors, and geographical factors have all been found to correlate with the overrepresentation of youth of color in contact with the justice system.

The state of California, though the Corrections Standards Authority, has implemented several efforts to comply with federal DMC requirements, including distributing grant applications that prioritize consideration for efforts that focus services on youth of color; hosting regional trainings and meetings that provide information about DMC and strategies for addressing it; including DMC information in other juvenile justice workshops and conferences throughout the state; and facilitating the Enhanced DMC Technical Assistance Project in five counties, including Los Angeles, San Diego, Santa Cruz, Alameda, and Contra Costa County.

Since 2005, the effort to examine DMC in Contra Costa County has been led by the Probation Department, under the leadership of Chief Lionel Chatman. Further leadership is provided by a Decision Makers Workgroup, which was formed to bring together the key decision makers in the County's juvenile justice system to discuss DMC, examine data which would hopefully identify the degree of DMC at various decision points along the justice system, develop recommendations regarding ways to reduce the level of DMC, and lead the implementation of next steps to be taken in this ongoing process.

The Decision Making Workgroup is composed entirely of department heads or executive level staff of the various agencies who have some involvement in the

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<sup>1</sup> "Minority group" includes the following racial and ethnic classifications: Asian Pacific American, African American, Latino/Hispanic American, and Native American.

juvenile justice system. Its members include the County Probation Officer, the District Attorney, the Presiding Juvenile Court Judge, an Assistant Public Defender, Representatives from the County Board of Supervisors, a representative for the County Administrator’s Office, Director of Employment and Human Services, Director of Health Services, County Superintendent of Schools, Chief of the Concord Police Department, Chief of the Richmond Police Department, and the Undersheriff. The selection of members was, to some degree, influenced by the scope of this project, which was designed to study the issue of DMC in three specific areas: the City of Richmond, the city of Bay Point, and the community in the City of Concord known as the Monument Corridor.

## II. Review of DMC Trends in Contra Costa County

Data findings analyzed in 2006 revealed that racial disparities in the three target areas were most prevalent at the early stages of the juvenile justice continuum, specifically at the points of arrest and referral to probation. In all three areas, disparities were found for African American youth at arrest and referral to probation, however disparities were also found for other ethnic groups at various decision points. Specifically, in Richmond, disparities were found for African American and Latino youth, although additional research has documented racial disparities for Southeast Asian males in Richmond as well.<sup>2</sup> [See Table 1]

**Table 1: DMC Trends in Richmond, by RRI, 2005**

Race/Ethnicity	Arrests	Referrals to Probation
African American	2.8	2.6
Latino	1.0	1.1
White	1.0	1.0
Asian	0.2	0.3
Pacific Islander	--	--
American Indian	--	--
Unknown/Other	1.1	0.6

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<sup>2</sup> Juneja, P., with West Contra Costa County Southeast Asian Youth and Family Alliance. (2006) *Hidden Challenges: A report in a series examining the status of API youth in West Contra Costa County, California*. Oakland, CA: National Council on Crime and Delinquency.

In Concord, disparities were found for African American youth at the points of arrest and referrals to probation. Slight disparities were also found for Latino youth at referrals to probation and for Pacific Islander and for youth whose ethnicity is recorded as “unknown” at point of arrest. [See Table 2]

**Table 2: DMC Trends in the Monument Corridor, by RRI, 2005**

<b>Race/Ethnicity</b>	<b>Arrests</b>	<b>Referrals to Probation</b>
African American	3.8	5.2
Latino	1.1	2.0
White	1.0	1.0
Asian	0.2	0.1
Pacific Islander	1.4	0.0
American Indian	0.0	0.0
Unknown/Other	1.3	0.2

In Bay Point, in addition to the disparities found for African American youth, a slight overrepresentation was found for Latino youth at point of arrest and referral to probation. Disparity was also shown for youth whose ethnic backgrounds were recorded as “unknown” and Pacific Islander youth at referral to probation. [See Table 3]

A 2007 report by Mark Morris Associates revealed further that the greatest disparities were found at other stages of the justice continuum as well, particularly for African American youth. The study analyzed more than 1,594 youth with a Contra Costa County juvenile court disposition in 2006, and included youth from all over. Leading cities in the sample included: Richmond (22%), Antioch (19%), Concord (12%), and Pittsburg (10%).

**Table 3: DMC Trends in the Bay Point, by RRI, 2005**

<b>Race/Ethnicity</b>	<b>Arrests</b>	<b>Referrals to Probation</b>
African American	5.7	2.7
Latino	1.7	1.2
White	1.0	1.0
Asian	0	0.1
Pacific Islander	0	3.8
American Indian	0	0
Unknown/Other	2.5	0.3

### African American Youth

African Americans were involved in the justice system at disproportionately high rates:

- African American youth almost 13 times as likely as white youth to be placed in secure confinement.
- Disparities were also found among average lengths of stay in detention. African American males were detained longer than non-African American males:
  - African American males: 31 days
  - Latino American males: 13 days
  - White males: nine days
  - Asian American males: five days
- African American males, on average, had a greater number of previous arrests and sustained petitions than non-African American males.
- African American males and females were referred to probation at younger ages than their white counterparts.
- African American females more likely to have sustained petitions for misdemeanor violent offenses (42%) compared to Latina and white females.

### Latino Youth

Mark Morris Associates found that like their African American counterparts, Latino youth were more likely to be detained than white youth and stay in detention for a

longer period of time (13 days, compared to nine days and five days for White and Asian American males, respectively).

### **III. Review of Probation DMC Training Activities**

#### Probation DMC Training

In 2008, eight of trainings were conducted with Probation staff. As of the writing of this report, all Contra Costa County Probation staff members have been trained on the key causes and correlates of DMC. In addition to presenting research and policy trends, the training provided an opportunity for Probation staff to offer their perspectives on the tools, resources and mechanisms required to support the individual and collective efforts to reduce DMC. Specifically, in each training Probation staff were asked the following questions:

1. What type of programming would you like to see to address the issue of DMC?
2. Where in your own work do you think you could impact DMC?
3. What challenges do you feel exist re: reducing DMC in Contra Costa County?
4. What support would you need to address DMC in your own work?

A summary of the responses to these questions are presented below:

#### *Programs of Interest:*

- Early intervention in the education (i.e., elementary school), literacy programs and school tutoring
- Increased juvenile mentoring and community service programs
- Life skills and vocational training
- Improved recreation and sports programs (i.e., PAL)
- Alternative detention facilities for girls
- Multilingual outreach
- Victim impact speakers
- Parental education and social skills

#### *Where Probation can Impact DMC:*

- Improve staffing, particularly community-based probation officers
- Adjudication intake is critical
- Cultural competency training for management and staff
- Ongoing cross-training
- Provide resources and opportunities equally to all clients
- Promote basic life skills among clients
- Treat all clients with dignity and respect
- Batterer's Program should include more than one spot for those w/o means to pay for programs.

### *Challenges:*

- Lack of funding to provide needed resources.
- Lack of education about DMC
- Lack of employment opportunities for high-risk communities
- Perceived lack of a motivation among client and community
- Perceived lack of staff and administrative buy-in
- Home/Parent situation – Parents should be held more accountable
- Lack of cultural sensitivity and discussion
- Fostering cooperation & communication between agencies

### *Support Needed*

- Increase data collection
- Need for specialized units
- Management support, cooperation, flexibility.
- Financial, support
- Clients support

Each session lasted four hours, and was co-facilitated by the consultant and two of the six Probation staff (2 Deputy Probation Officers, 2 Institutional Supervisor II, and two Institutional Supervisor I) who have been trained to present materials and research on DMC.

A follow-up survey was conducted by Mark Morris Associates. A summary of their findings will be submitted in a separate report.

### Community-based Partner DMC Training

Four training sessions were held with the Probation contractors who provide direct services to youth on probation. Community-Based Organization (CBO) partners, including Project Reach (Antioch/Pittsburg), West Contra Costa Youth Service Bureau (Richmond), and New Connections (Concord/Bay Point).

Participants in these training sessions were also provided an opportunity to share their ideas regarding how to support a better partnership to improve public safety and reduce DMC. Specifically, in each training session, CBO partners were asked the following questions:

1. How can the Probation Department better support CBO's effort to improve outcomes for youth and support DMC?
2. What role can the CBO partner play in advancing culturally specific programming for youth of color?
3. What challenges do you feel exist re: reducing DMC in Contra Costa County?

4. What support would you need to address DMC in your own work?

A summary of the responses to these questions are presented below:

- *Communication*- The majority of CBO respondents perceived there to be very little meaningful communication between the Probation Department and the CBO contract about the client (i.e. youth on probation). Improving communication was seen as a key area that could impact other areas of service, particularly where there may be assumptions about roles and responsibilities that need clarification.
- *Resources*: CBOs tended to note a need for improved human and financial resources to support parental services, appropriate language access and services, and mental health programs and responses.
- *Challenges*: CBOs identified fear and a lack of knowledge as major challenges for this work to continue in Contra Costa County. Connecting with unidentified stakeholders and lack of respect for CBO work were also viewed as challenges.
- *Needs*: CBOs identified funding as a continued need with regard to supporting continued efforts to reduce DMC. Additional trainings were also viewed as key to a continued strategy to bridge communication gaps and to support joint strategies to address the overrepresentation of youth of color.

A follow-up survey was conducted by Mark Morris Associates. A summary of their findings will be submitted in a separate cover.

#### **IV. Review of Diversion Planning Activities**

There are currently no formal diversion programs recognized by law enforcement in the Richmond, Bay Point, or the Monument Corridor. Diversion programs should occur at the early stages of juvenile justice processing, but can also be instituted at later stages of the continuum to prevent further penetration into the system and costly placements. By definition, these programs divert youth from formal court processing while still providing a means to hold them accountable for their actions.

Research<sup>3</sup> has confirmed that there are several important benefits to diversion, including that they provide more effective and appropriate treatment for youth, reduce recidivism, decrease overcrowding in detention facilities, facilitate the

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<sup>3</sup> Davidson, W. et. al, (1990) *Alternative Treatments for Troubled Youth: The Case of Diversion from the Justice System*. New York: NY: Plenum Press.

further development of community-based services, improve working relationships of cross-systems groups, and expedite court processing of youth into services.

In 2008, two diversion subcommittees were established; one addressing Richmond and one addressing the Monument Corridor/Bay Point. These subcommittees are currently working to prepare a series of recommendations to the Decision Makers Workgroup regarding the design of area-specific diversion protocols and programming, eligibility criteria, and communications strategies between agencies.

The mission of these subcommittees is to develop tools, protocols, and recommend programming to divert youth from further contact with the juvenile justice system. Tools developed by this committee will assist juvenile justice professionals in determining who is eligible for diversion; and will be used, along with internal policies and procedures and the experience and expertise of juvenile justice professionals, as a guide for decision-making.

To support the development of these recommendations, two “best practices” panels on diversion were held. The first panel featured presentations from Sandra McBrayer of the San Diego Children’s Bureau; Joella Brooks of the Southwest Key Programs, Inc., and Julie Posadas Guzman of the Youth Justice Institute—all organizations that have established promising approaches and best practices with regard to protocols, data collection, and the implementation of culturally-competent and gender-responsive programming. A second panel and presentation on diversion was held for diversion subcommittee members and included presentations by Corporal Elmer Glasser of the Contra Costa County Sheriff’s Office, Julie Posadas Guzman of the Youth Justice Institute, and the consultant.

## **V. Other Stakeholder DMC Reduction Activities**

A number of other county agencies are working on efforts that are related to DMC. According to Contra Costa Health Services, the following activities are underway:

- CCHS has a department wide commitment to Reducing Health Disparities, with a unit dedicated to implementing a five-year plan. The goals of the plan are to improve consumer/client/patient/customer experience; increase engagement and partnership with the community, improve staff cultural sensitivity and respect and responsiveness; and develop systems to support and promote access.
  
- A Cross Divisional Violence Prevention Team has developed 12 recommendations for addressing street violence in Contra Costa and is focusing on communities with disproportionately high rates of violence.

- With John Muir Trauma Center and the Office of Neighborhood Safety in Richmond, CCHS is working to implement a pilot project called Caught in the Crossfire, designed to work with violence victims and their families to prevent retaliation.
- With staff and funding, CCHS support RYSE, the new youth center in Richmond that is based on a harm-reduction model for empowering young people and developing partnerships to provide them with capacity building and services.

According to the Children & Family Services Bureau: In 2001, the Children & Family Services Bureau began a Child Welfare Redesign of a 30-year old system using data from the U.C. Berkeley Center of Social Services Research. A convening of countywide meetings resulted over a two-year period with community partners and agency collaborative efforts. During this two-year period alarming data surfaced from the U.C. Berkeley research indicating a disproportionate number of African American children entering into Contra Costa County's child welfare system, and a disproportionate number of children remaining in our system at age 12-13 years.

In 2002-2003, Children & Family Services formed a Cultural Competency Oversight Committee made up from all classification ranks. In the spring of 2003, as part of the oversight committee's recommendations, Contra Costa County Children & Family Services Bureau launched the training series for all child welfare staff. The series addresses Cultural Competency, Racial Disproportionality & Disparity, Color Blindness, Difficult Dialogue, Bias & Stereotypes, Decision Making and Cultural Considerations. All these trainings were mandated.

From 2003 to 2005, Children & Family Services provided thirty-three trainings with 1,219 Children & Family Services staff, thirty-seven CBO's and collaborative agencies. During this time period Children & Family Services initiated the Annie E. Casey Foundation "Family to Family Initiative" (F2F), and the use of "Team Decision Making" (TDM) for all African American children four years and under countywide in an effort to reduce entry into the child welfare system.

Currently Children & Family Services is at the final training stages for staff on "Best Practice" on the "Words Means Things" training to address office dialogue and written reports.

**PART II:**

**CONTRA COSTA COUNTY RESPONSES  
TO DMC TRENDS**

## **VI. Contra Costa County DMC Logic Model**

The mission of the Contra Costa County DMC effort is to reduce delinquency and DMC by identifying key opportunities to prevent youth of color from contacting and penetrating the juvenile justice system, and by fostering partnerships among and between justice and community stakeholders to improve the healthy life outcomes of all youth.

The Contra Costa logic model [Figure 1] depicts the interconnections of inputs, outputs (activities and reach) and outcomes related to reducing Disproportionate Minority Contact. Research has confirmed that many factors contribute to DMC and no one entity can reduce DMC alone; therefore this logic model reflects the input and skills of multiple stakeholders toward the goal of reducing DMC.

Activities associated with the two primary findings of the research conducted by Mark Morris Associates—that African American youth are disproportionately overrepresented throughout the justice system and that Latino males are disproportionately represented in detention are specifically addressed in this logic model. This logic model depicts four primary areas for reducing DMC for these populations: 1) Inputs, including time and expertise of DMC reduction partners, financial resources, and knowledge; 2) Outputs, including a description of the activities to be performed and who are to comprise the target recipients of services; 3) Outcomes, including those intended outcomes in the short-, intermediate-, and long-term; and 4) External Influences, which—as of the writing of this report—are to be determined by the Decision Making workgroup.

### Inputs

Contra Costa County has invested several resources into this process to reduce delinquency and the overrepresentation of youth of color in contact with the justice system. Specifically, the Probation Department has devoted the time and expertise of staff, and invested financial resources into this process by supporting the education needs of DMC trainers and providing materials and space for training sessions. The Probation Department has also invested in the process of gaining knowledge regarding best practices, promising approaches, and data collection to inform the process of reducing DMC. The Probation Department worked with a DMC consultant and a data consultant to support this process, and performed site-visits to Oregon and Santa Cruz, California in order to observe efforts in other counties regarding this issue. These site visits were helpful in terms of providing the Probation trainers with concrete examples of successes and challenges associated with reducing disparities.

**Figure 1: Contra Costa County DMC Logic Model**



Additionally, the time and expertise of other key decision-making stakeholders are important inputs to this process and provide the partnership necessary to implement strategies and promising approaches to reduce delinquency and racial disparities in the Contra Costa County juvenile justice system.

These inputs inform the outputs associated with this effort, specifically with regard to what activities are performed in association to this effort and which audiences are to be reached.

### Outputs

The outputs associated with this effort should include data reports on progress, other research support on progress, training and informational sessions, and the development of a five-year plan to reduce DMC.

The Probation Department has launched a number of activities associated with this effort, including the following:

- *DMC Training*  
As noted above, the Probation Department has trained all staff members on the key concepts of DMC, its causes and correlates, and key responses to DMC. An updated training session will be offered in 2009-2010 that includes information regarding the outcomes of the previous training, an overview of new research and legislation that may affect DMC in California and nationwide, and the outcomes of current efforts to reduce delinquency and DMC in Contra Costa County.  
Target Audience: Probation Staff
- *Motivational Interviewing*  
Research<sup>4</sup> has confirmed that motivational interviewing is an efficacious, client-centered approach to engaging with individual who exhibit high-risk behaviors, including alcohol and drug abuse. As part of its strategy to improve the quality of services, the Probation Department has been conducting training for staff on motivational interviewing.  
Target Audience: Probation Staff, with the ultimate beneficiary being the juvenile in contact with the department.
- *Cognitive Behavior Training*  
Research<sup>5</sup> supports the use of cognitive behavioral therapy as a tool to understand behaviors and to foster improved workplace communication and teamwork. In the Probation Department, this effort has been widely regarded

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<sup>4</sup> Miller, W.R. (1996) Motivational Interviewing: Research, Practice, and Puzzles. Addictive Behaviors, Volume 21, Issue 6, November-December 1996, pp. 835-842.

<sup>5</sup> Gatto, R. (2006) Reflections from the Workplace. Weirton, WV: National Association of Cognitive-Behavioral Therapists.

as an opportunity to improve communications skills that can ultimately improve the quality of services that are provided to probationers.

Target Audience: Probation Staff.

- *Risk Assessment Tool*

Research<sup>6</sup> has shown that the use of a structured decision-making instrument at the point of intake to secure detention can dramatically improve the objectivity of decision-making with regard to who is admitted. Historically, juvenile justice researchers and policymakers advocated the use of juvenile detention for two reasons, if youthful offenders pose a public safety risk to themselves or to others. Otherwise, a series of graduated sanctions and alternatives to detention should be established to adequately respond to the risk factors being exhibited by juvenile offenders.<sup>7</sup> Contra Costa County is in the process of developing a validated risk assessment tool toward the goal of reserving secure detention as a sanction for those who need it.

Target Audience: Juvenile Offenders.

- *Parent Survey*

The Probation Department worked with consultants to develop a survey designed to capture the perceptions of parents who have had contact with the Probation Department regarding services provided. The survey inquires about the manner in which services were provided, as well as about the types of programs and services that they believe would have had an impact on the behaviors of their children.

Target Audience: Parents of Juvenile Offenders

- *Diversion Programming*

Several justice and community stakeholders have been meeting to develop recommendations for the Decision Makers regarding diversion protocols for Contra Costa County, as well as programming in the area of Richmond, Monument Corridor, and Bay Point.

Target Audience: Juvenile Offenders

- *Focus Groups*

As of the writing of this report, the Probation Department is working with consultants to conduct focus groups with youth in custody. The focus groups will provide an opportunity for feedback from the affected population to describe the programs and strategies that they feel are most effective to address their behavior, and what resources they feel are needed to support continued efforts toward rehabilitation in their home communities.

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<sup>6</sup> Bishop, D and Frazier, C. (1996) Race Effects in Juvenile Justice Decision-Making: Findings of a Statewide Analysis. *Journal of Criminal Law and Criminology*. Vol 86, No 2.; p. 392-

<sup>7</sup> Wilson, J. and Howell, B. (1993) *Serious, Violent, and Chronic Juvenile Offenders: A Comprehensive Strategy*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

Target Audience: Juvenile Offenders

- *Cultural Competency Training and Events*  
The Probation Department has developed a number of events (e.g., luncheons, lectures, etc.) to support the continued learning about the diverse cultures among staff and clients. Additionally, the department is planning a training session on cultural competency.  
Target Audience: Probation Staff.

Additionally, several stakeholders in this process have been engaged in discussions regarding disparities in other fields (e.g., health, education, child welfare, etc.). To the extent that these efforts can partner and offer joint training and/or discussion groups in Richmond, Bay Point, and the Monument Corridor, the overall effort to reduce DMC would be enhanced.

### Outcomes

The outputs described above are designed to foster immediate, short-term, intermediate, and long-term outcomes. Specific outcome statements need to be developed by the stakeholders involved in this effort. The ultimate goal of this initiative is to reduce delinquency and DMC in Contra Costa County. The outcomes needed to achieve this goal will be reached through the implementation of research-supported activities, including the recommendations below.

## **VII. Consultant Recommendations**

According to the Office of Juvenile Justice and Delinquency Prevention,<sup>8</sup> the steps required to reduce DMC include the following:

- Define the Problem
- Develop Program Logic
- Identify Measures
- Implement Evidence-Based Programming
- Collect and Analyze Data
- Report Findings
- Evaluate Effectiveness of Program Logic

These steps require the input and participation of multiple stakeholders, including individuals and agencies who represent the following: juvenile justice and law enforcement, education, child welfare/social services, health services, community-

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<sup>8</sup> Nellis, A. (2005) *Seven Steps to Develop and Evaluate Strategies to Reduce Disproportionate Minority Contact (DMC)*. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

based services, faith community, youth and parents. Additionally, research<sup>9</sup> has found that in order to reduce DMC, data must be collected and carefully analyzed to inform efforts to reduce racial disparity in the justice system, that strong leadership is essential to the successful implementation of recommendations, and that while it is impossible to control all of the factors that lead to racial disparities, there are activities that can control and change rates of contact with the justice system.

In light of these established steps and principles, and other research that supports diversion, early intervention and the importance of implementing a series of graduated sanctions and program alternatives to promote a reduction in delinquency and disproportionate minority contact, the consultant has prepared a summary of recommendations for Contra Costa County. These recommendations are organized according to those activities, which can and should take place immediately (within six months), in the short-term (six months to one year), in the intermediate term (one to two years), and in the long-term (three to five years).

#### **A. Immediate (Within 6 Months)**

##### Probation Specific

1. The Probation Department should contract with a consultant who can continue the process of guiding strategies, meetings, and training sessions regarding reducing DMC in Contra Costa County's three target areas. The consultant's primary role should be to help support the identification of effective diversion protocols and programming, foster a continued momentum of the project, and work with the Probation leadership on this effort to communicate successes to the Corrections Standards Authority, and other key stakeholders to execute activities according to its identified set of priorities.
2. The Probation Department should consider appointing DMC Coordinators in each of the major segments of the department's services. DMC coordinators should be assigned to the field, juvenile hall, and the Oren Allen Youth Rehabilitation Center. These positions should be designed to support the collection of data, the monitoring of progress at key decision points, and the assistance with implementation of culturally competent programming and services where appropriate.
3. The Probation Department should continue its training of all Probation staff on DMC. Future curricula should include a review of the key causes and correlates, but also relate the findings and key successes of the 2008 study and the current activities to reduce delinquency and DMC.
4. The Probation Department should finalize its risk assessment tool being developed for the juvenile hall and train appropriate staff on its usage.

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<sup>9</sup> Hinton-Hoytt, E. et.al. (2002) *Reducing Racial Disparities in Juvenile Detention*. A project of the Annie E. Casey Foundation.

5. The Probation Department should follow up with its CBO partners to arrange meetings to discuss and clarify roles, responsibilities and communication between Deputy Probation Officers and community-based service providers, so as to improve the outcomes of juvenile probationers.

#### All Stakeholders

6. To support the ongoing effort to address DMC and delinquency prevention at decision points that are under the control of agencies other than Probation, juvenile justice stakeholders represented among the Decision Making workgroup should consider conducting DMC training for their staff. Training should mirror the curriculum provided for the Probation Department and include specific information about the way in which their agencies can contribute to the overarching goal of this effort.
7. The Diversion subcommittees should continue to discuss protocols and programming to develop recommendations for the Decision Makers Workgroup regarding diversion pilot initiatives in Richmond, Monument Corridor, and Bay Point.
8. The DMC Decision Makers Workgroup and other partnering agencies in the DMC effort should develop and adopt a set of cultural competency principles. These principles should set a tone for continued discussions regarding DMC and the administration of intervention services and programs to all juvenile offenders in Contra Costa County. These principles should be shared and visible within the agencies working with youth who are system-involved.

### **B. Short-Term (Between 6-12 Months)**

#### Probation Specific

1. The Probation Department should complete the design, validation, implementation, training, and use of a validated risk assessment tool at intake decision point in the juvenile hall. A valid research assessment instrument is a critical tool to support objective decision-making and the application of uniform responses to youth who are facing detention.
2. The Probation Department should work with appropriate analysts to collect data at the DMC decision points, which will continue to inform the DMC and delinquency reduction process in Contra Costa County, and specifically in Richmond, the Monument Corridor, and Bay Point. Data reports are necessary in the following areas:

- Juveniles arrested in Contra Costa County, by race, ethnicity, age, gender, and offense (note first-time and repeat offenders. If repeat, note prior services rendered);
- Juveniles in diversion programs, by race, ethnicity, age, gender, offense, and prior services rendered;
- Juveniles referred to probation, by race, ethnicity, age, and gender
- Juvenile petitions filed, by offense, by race, ethnicity, age, gender and offense;
- Juveniles with a sustained petition by race, ethnicity, age, gender, and offense;
- Juveniles in detention, by race, ethnicity, age, gender, and offense
- Average length of stay for juveniles in detention, by race, ethnicity, age, gender, and offense (pre- and post-adjudication);
- Juveniles transferred to adult court, by race, ethnicity, age, gender, and offense.

If possible, additional data reports, including the RRI, should be generated in the following areas:

- School suspensions and expulsions, by race, ethnicity, age, and gender;
  - School-based incidents that lead to law enforcement or probation officers intervention—by race, ethnicity, age, gender, and offense.
  - Dual jurisdiction case trends, including reports on juveniles who qualify for 241.1 hearing, by race, ethnicity, age, and gender (300 and 600 cases);
  - Mental health trends (assessments that lead to formal diagnoses and treatment), by race, ethnicity, age, gender, and offense; and
  - Group home placement trends, by race, ethnicity, age, gender, and offense.
3. The Probation Department should continue its planning and implementation of cultural competency training for all Probation Department staff. Additionally, the Department should continue to implement its other activities and events that provide opportunities to celebrate the diversity and acknowledge the presence of diverse cultures among the population of youth and families who are in contact with the Probation Department.
  4. The Probation Department should examine the outcomes and findings of the surveys conducted with the Probation Department, its CBO partners, and parent surveys to determine whether responses and/or modifications to existing training curriculum, policies, or events are necessary.

#### All Stakeholders

5. The Diversion subcommittees that have been established for the Monument Corridor/Bay Point and Richmond areas should complete their development of recommendations to the Decision Makers Workgroup regarding the implementation of a pilot diversion program in each of the three target areas. Once the protocols and program are confirmed and adopted, the County should design an evaluation protocol and implement the pilot strategies as recommended.
6. Key stakeholders should work with a new consultant to develop an action plan to implement recommendations. For each problem issue, the planning team will should develop goals, objectives, and specific activities, processes, and outcome measures.

**EXAMPLE: Problem Issue:** African American and Latino youth in Contra Costa County are underrepresented at the Diversion decision point.

<b>Goal:</b> To reduce delinquency and DMC at the early stages of contact with the juvenile justice continuum.			
<b>Objective:</b> To develop diversion program alternatives for youth who are arrested and live in Richmond, Bay Point, and the Monument Corridor			
<b>Activities</b>	<b>Process Measure</b>	<b>Outcomes</b>	<b>Outcome Measures</b>

7. The Decision Makers Workgroup should continue to meet as needed (at least quarterly) to monitor and discuss progress regarding the DMC effort in Contra Costa County.

**C. Intermediate (Between 1-2 Years)**

Probation Specific

1. The Probation Department should launch the use of a new Management Information System, which can produce reports on key DMC data areas. These data reports identical to those produced in the short-term period, so as to measure progress and inform the efforts made regarding reductions in delinquency and DMC. Findings of the reports should be reviewed and discussed by key Probation Department staff and appropriate stakeholders in this effort.
2. The Probation Department should consider establishing ethnic liaison groups with community stakeholders to help guide the development of culturally competent protocol, programming, and communication

regarding youth who are system-involved—in custody and out of custody—African American, Latino, Asian Pacific Islander, and Native American. This effort should include the development of MOUs, meeting schedules and agendas to be discussed between the Probation Department and the members of the liaison group.

All Stakeholders

3. The Decision Makers Workgroup should meet and evaluate the effectiveness of the pilot diversion programs in the City of Richmond and the Monument Corridor/Bay Point areas.
4. The Decision Makers Workgroup, in partnership with the Board of Supervisors—and potentially, other Bay Area DMC counties—should consider sponsoring a summit or convening to discuss the regional successes, challenges, and opportunities regarding responding to DMC in the Bay Area.

**D. Long-Term (Between 3-5 Years)**

All Stakeholders

1. Research<sup>10</sup> has confirmed that it is essential to evaluate the process on a regular cycle to determine if the logic model and its accompanying activities are producing the intended outcomes, or if there unintended consequences that need to be addressed. Therefore, all key stakeholders should review the effectiveness of logic model and discuss changes as needed.
2. All key stakeholders should continue the process of monitoring trends at key decision-making points and developing programming and policy responses to decisions or practices that are found to result in unfair or unnecessary contact with the justice system.
3. All key stakeholders should continue to examine their respective areas of control and/or decision-making and determine whether existing programs and strategies are sufficiently producing intended outcomes or if it is necessary to expand programming and services to support culturally-competent and gender-responsive efforts to reduce DMC.
4. At the end of five years, key stakeholders should work together to evaluate key outcomes of the DMC effort and determine where additional support is needed.

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<sup>10</sup> SUPRA, Note 6.

## **VIII. Conclusion**

Contra Costa County is poised to accept the tremendous opportunity to continue its efforts to reduce DMC. As discussed in this report, the County has already taken important steps toward establishing an infrastructure to support and continue this work. With a continued commitment to implementing best practices to produce positive life outcomes for youth and provide a range of fair and equitable responses to youth who come into contact with the justice system, Contra Costa County will maximize its opportunities to reduce delinquency and DMC.

## **VIII. Acknowledgments**

The consultant would like to extend her acknowledgment and appreciation to several individuals who have provided leadership and commitment to this effort. First, the consultant would like to thank Cynthia Haven, Contra Costa County's DMC Coordinator, for her commitment and passion with regard to this project. The consultant would also like to thank the Probation Department, and specifically Chief Lionel Chatman, for providing a vision for working together to reduce disparities and to improve the quality of services provided to youth in contact with the justice system. A strong and heartfelt thank you is extended to the six Probation trainers—Arthur Fernandez, Suzanne Nelson, Marlon Washington, Theodore Martell, Petrenya Boykins, and Forrest Coleman—who dedicated hours of their time to learning and teaching the DMC curriculum to their colleagues.

The consultant would also like to extend her gratitude to the Decision Makers Workgroup, which has continued to provide leadership on this effort:

Ms. Bianca Bloom, Contra Costa County Office of Education  
Chief Lionel Chatman, Probation Department  
Mr. David Coleman, Public Defender  
Ms. Valerie Early, Employment and Human Services Department  
Mr. John Gioia, Board of Supervisors  
Mr. Federal Glover, Board of Supervisors  
Hon. Lois Haight, Presiding Juvenile Court Judge  
Mr. Robert Kochly, District Attorney, Chairperson of Decision Makers Workgroup  
Chief David Livingston, Concord Police Department  
Chief Chris Magnus, Richmond Police Department  
Dr. William Walker, Contra Costa Health Services  
Mr. Timothy Ewell, County Administrator's Office

Additionally, there were several agencies and individuals who have participated in or supported this ongoing process to examine DMC in Contra Costa County.

Mr. Devonne Boggan, Richmond Office of Neighborhood Safety  
Ms. Joella Brooks, Southwest Key Programs, Inc.

Ms. Kim Broussard, CA Corrections Standards Authority  
Mr. Daniel Cabral, District Attorney's Office  
Ms. Lily Caceres, Oregon Youth Authority  
Mr. Terrance Cheung, Supervisor John Gioia's Office  
Chief Judy Cox, Retired, Santa Cruz County Probation Department  
Ms. Sheryl Dash, Salem/Kaiser NAACP  
Ms. Kanwarpal Dhaliwal, RYSE Youth Center  
Ms. Julie Freestone, Contra Costa County Health Services  
Cpl. Elmer Glasser, Contra Costa County Sheriff's Office  
Mr. Wendell Greer, West Contra Costa County School District  
Ms. Taalia Hasan, Youth Service Bureau  
Ms. Shalinee Hunter, CA Corrections Standards Authority  
Mr. Lonnie Jackson, Oregon Youth Authority  
Sgt. Marice Jennings, Concord Police Department  
Mr. Robert Jester, Oregon Youth Authority  
Lt. Dennis Kahane, Contra Costa County Sheriff's Office  
Mr. David Koch, Multnomah Dept. of Community Justice  
Mr. Don Lau, YMCA of Richmond  
Mr. Jack Lawson, Oregon Youth Authority  
Mr. Phillip Lemman, Oregon Youth Authority  
Cpl. Larry Lewis, Richmond Police Department  
Mr. Steve Liday, Multnomah Dept. of Community Justice  
Ms. Anita Marquez, Center for Human Development  
Ms. Sandra McBrayer, The Children's Initiative  
Mr. Michael Newton, Contra Costa County Probation  
Ms. Denise Nolan, Contra Costa County Public Defender's Office  
Ms. Carolyn Plath, Ygnacio Valley High School  
Ms. Julie Posadas Guzman, Youth Justice Institute  
Ms. Elaine Prendergast, Center for Human Development  
Ms. Christina Puentes, Oregon Youth Authority  
Mr. Rich Saito, Consultant  
Dr. Cynthia Scheinberg, New Connections  
Ms. Anya Seiko, Oregon State DMC Coordinator  
Hon. Bill Shinn, Mayor of Concord, CA  
Mr. Ron Weaver, Oregon Youth Authority  
Mr. James Woggan, Mt. Diablo School District

Ambrose Community Center  
La Clinica de La Raza  
Monument Community Partnership  
Project REACH  
Richmond Building Blocks for Kids  
West Contra Costa County Youth Service Bureau

For this project, the Contra Costa County training team had the opportunity to conduct site-visits to the Oregon Youth Authority and the Santa Cruz Probation

Department. Thank you to all of the individuals at those institutions for their hospitality and resources, as well as their willingness to share information, successful strategies, and pitfalls with regard to examining this issue.

Additionally, the consultants would like to acknowledge the parents, youth, and community members who attended meetings and participated in surveys and interviews associated with this project.

To the Contra Costa County Board of Supervisors:

April 7, 2015

We call on you to take action to address racism in Contra Costa County's law enforcement. We are a coalition of organizations and individuals committed to eliminating racial inequalities in Contra Costa. We are people who live and work here. Despite District Attorney Mark Peterson's claim that "racism is not the reason for disparity in [the] criminal justice system," we know from current research and our own experience that racism is very much a part of the problem. Systemic bias against people of color is a reality we see every day, and we will not stand for more of the same.

Leading law enforcement officials agree that racial bias in the criminal justice system is a problem across the country. Attorney General Eric Holder has acknowledged that "systemic and unwarranted racial disparities remain disturbingly common," and "African-American men have received sentences that are nearly 20 percent longer than those imposed on white males convicted of similar crimes." Consistent with this, the Department of Justice has found that "African Americans experience disparate impact in nearly every aspect of Ferguson's law enforcement system." The same inequalities fester in cities throughout the U.S.

Contra Costa is not immune from the nationwide epidemic. Black men and women are six times more likely than their white counterparts to be in jail in Contra Costa. Despite this, Mr. Peterson claims law enforcement is "colorblind" in our county and claims that the disparity is because "crimes are perpetrated disproportionately by poor people of color." We reject these assertions, and we call for action to ameliorate the inequalities of our system.

To that end, we recommend the following:

1. That all Contra Costa County employees participate in mandatory annual implicit bias training;
2. That this Board perform an audit of arrests and prosecutions in the county and generate a public report with findings on racial disparities;
3. That the Board implement a civilian police review board and civilianization of police complaint intake;
4. That this Board restore parity in compensation between the District Attorney and Public Defender;
5. That this Board implement policies and fund programming to increase proportional representation of people of color in county juries;
6. That this Board adopt a resolution to take all necessary measures to reduce systemic and unwarranted racial disparities in our criminal justice system.

We ask you to hear our voices and to be moved to change the status quo. If Contra Costa is to move closer to justice for people of all colors, we will need to take concrete steps in the right direction. If you are on the side of addressing racism in Contra Costa rather than denying it, then you can only demonstrate this through your actions.

Respectfully,  
The Contra Costa County Racial Justice Coalition

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1. Racism is not the reason for disparity in criminal justice system by *Mark Peterson, 2015 Bay Area News Group*
  2. "ALL LIVES MATTER" by *District Attorney Mark Peterson, press release, December 23, 2014*
  3. *General Eric Holder at the Morgan State University commencement ceremony in Baltimore, May 17, 2014.*
  4. Investigation of the Ferguson Police Department, by *The Department of Justice, March 4, 2015*
  5. Bureau of Justice Statistics Annual Survey of Jails, 2013
  6. U.S. Census Bureau, 2013



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: April 21, 2015

Subject: REFERRAL TO PUBLIC PROTECTION COMMITTEE

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**RECOMMENDATION(S):**

REFER to the Public Protection Committee a letter from the Contra Costa County Racial Justice Coalition regarding the local criminal justice system.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

On April 7, 2015, the Board of Supervisors received a letter (attached) from the Contra Costa County Racial Justice Coalition requesting review of topics within the local criminal justice system. The Public Protection Committee (PPC) generally hears all matters related to public safety within the County. Committee staff will integrate this issue into the PPC discussion schedule for CY 2015.

**CONSEQUENCE OF NEGATIVE ACTION:**

A review of the letter will not be referred to the Public Protection Committee.

**CHILDREN'S IMPACT STATEMENT:**

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **04/21/2015**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I  
Supervisor  
Candace Andersen, District II  
Supervisor  
Mary N. Piepho, District III  
Supervisor  
Karen Mitchoff, District IV  
Supervisor

ABSENT: 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: April 21, 2015

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

By: June McHuen, Deputy

Contact: Timothy Ewell,  
925-335-1036

cc:

No impact.

# ATTACHMENTS

Letter to the Board of Supervisors

Date: December 21, 2015

To: Supervisor John Gioia  
Supervisor Federal Glover

From: Robin Lipetzky, Public Defender   
Phil Kader, Chief Probation Officer  
Tom Kensok, Assistant District Attorney

Subject: Recommendation for Racial Justice Taskforce

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As requested by the Public Protection Committee of the Board of Supervisors, the above named individuals have met to discuss how the County can best move forward to address the disproportionate representation of racial minorities in the criminal justice system in Contra Costa County.

We recommend that the County appoint a Racial Justice Taskforce (RJT) to be comprised of no more than 15 members representing governmental agencies and community organizations whose work concerns racial equality within the criminal justice system. We propose the following persons and/or entities for membership on the RJT:

Chief Probation Officer  
Public Defender  
District Attorney  
Sheriff  
Superior Court of Contra Costa County  
Local Law Enforcement (member to be name by the CCC Police Chiefs Association)  
Local School Districts (up to 3 representatives)  
Department of Health  
Community-based Organizations (up to 5 members)

We recommend that the mission of the RJT be to:

1. Identify some consensus measures within the County to reduce racial disparities in the criminal justice system;
2. Make recommendations for implementation of the measures once identified;  
and
3. Report back to the Board of Supervisors on progress made toward reducing racial disparities within the criminal justice system.

In recognition that this is a challenging undertaking, we further recommend that the County provide funding for two necessary components to the success of the RJT. First, we ask that the County contract with an impartial trained facilitator to guide the RJT through this process. Second, we suggest that the County contract with a public interest research entity or an academic institution to assist in data collection and outcome analysis.



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: April 12, 2016

Subject: Side Letter with Local 1 to Adjust Salaries Pursuant Pay Equity Studies

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**RECOMMENDATION(S):**

ADOPT Resolution No. 2016/163 approving the Side Letter between Contra Costa County and Local 1 to increase the base rate of pay for the classifications of Lead Electrician (GFTA) and Electrician (GFWA) by three and four tenths percent (3.4%), effective the first day of the month following adoption of the Side Letter.

**FISCAL IMPACT:**

The estimated cost of the agreement is \$10,000 for the remainder of the current fiscal year and \$59,500 annually.

**BACKGROUND:**

The County and Local One have concluded the meet and confer process on the 2015 Pay Equity Studies conducted for specific classifications pursuant to an agreement signed by the parties on April 2, 2014. As a result of the meet and confer process, the parties agree that effective the first day of the month following approval of the Side Letter by the Board of Supervisors, the base rate of pay for the classifications of Lead Electrician (GFTA) and Electrician (GFWA) will be increased by three and four tenths percent (3.4%).

If adopted, the Side Letter is effective May 1, 2016.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 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: Harjit S. Nahal, Assistant County Auditor, Lisa Lopez, Assistant Director of Human Resources

CONSEQUENCE OF NEGATIVE ACTION:

Employees in the classification impacted will not receive the pay equity salary increase.

ATTACHMENTS

Resolution No. 2016/163

Local 1 Side Letter - Pay Equity Study

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

Adopted this Resolution on 04/12/2016 by the following vote:

**AYE:**   
**NO:**   
**ABSENT:**   
**ABSTAIN:**   
**RECUSE:**



**Resolution No. 2016/163**

**In The Matter Of:** Side Letter Adjusting Salaries Pursuant to Agreement Regarding Pay Equity Studies

The Contra County Board of Supervisors acting in its capacity as the Governing Board of the County of Contra Costa and all districts of which it is the ex-officio governing Board **RESOLVES THAT:**

The attached Side Letter of agreement dated March 24, 2016, between Contra Costa County and Local 1, 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: April 12, 2016**

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

By: , Deputy

**cc:** Harjit S. Nahal, Assistant County Auditor, Lisa Lopez, Assistant Director of Human Resources

**SIDE LETTER AGREEMENT BETWEEN  
CONTRA COSTA COUNTY & PUBLIC EMPLOYEES UNION,  
LOCAL ONE  
ON 2015 PAY EQUITY STUDIES**

This Side Letter is by and between Public Employees Union, Local One ("Local One") and the County of Contra Costa ("County") and is effective on the first day of the month following approval by the Board of Supervisors.

The County and Local One have concluded the meet and confer process on the 2015 Pay Equity Studies conducted for specific classifications pursuant to an agreement signed by the parties on April 2, 2014. As a result of the meet and confer process, the parties agree to the following:

Effective the first day of the month following approval of this Side Letter by the Board of Supervisors, the base rate of pay for the following classifications will be increased by three and four tenths percent (3.4%):

- Lead Electrician (GFTA)
- Electrician (GFWA)

Date: 3/24/2016

**Contra Costa County:**  
(Signature / Printed Name)

Discoll, Lisa Discoll

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**PEU, LOCAL ONE:**  
(Signature / Printed Name)

[Signature] / John Abraham  
[Signature] / Cedric Porter

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Contra  
Costa  
County

To: Board of Supervisors  
From: John Gioia, District I Supervisor  
Date: April 12, 2016

Subject: RESOLUTION NO. 2016/318 AUTHORIZING AMENDMENTS TO PROPERTY TAX TRANSFERS FROM WEST CONTRA COSTA HEALTH CARE DISTRICT TO CONTRA COSTA COUNTY

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**RECOMMENDATION(S):**

ADOPT Resolution No 2016/318 approving an amendment to each of (1) the Amended and Restated Second Agreement for Property Tax Transfer from the West Contra Costa Health Care District to Contra Costa County, dated July 16, 2013, between the West Contra Costa Healthcare District (District) and the County, and (2) the Third Agreement for Property Tax Transfer From West Contra Costa Healthcare District to Contra Costa County,” dated July 1, 2014, between the District and County, which provide for a \$1 million reduction in the allocation of District ad valorem property tax revenues to the County under the Second Agreement and under the Third Agreement, and authorizing the County Auditor to transmit directly to the District, instead of to the County, \$1 million of the District’s annual ad valorem property tax allocation, each year in the month of April, and to make a final transfer of District ad valorem property taxes in the amount of \$645,000 in consideration of County foregoing \$1 million in District ad valorem property taxes that would otherwise be transferred to County under the second Agreement and the Third Agreement.

**FISCAL IMPACT:**

The fiscal impact of a modification to the District's ad valorem property tax allocation, as proposed, would be a \$1 million impact to the General Fund reserves annually until the agreements are complete. The impact to the County is a two to three year extension, which is cost neutral over time due to the final proposed transfer.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Supervisor John Gioia  
(510) 374-3231

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

By: , Deputy

cc: Robert Campbell, County Auditor-Controller, WCCHCD Board (via District I Office), Colin Coffey

## BACKGROUND:

In an attempt to keep Doctors Medical Center open, Contra Costa County provided \$35 million in emergency funding to the hospital since 2006. In exchange, the District authorized an allocation of its ad valorem property tax revenues to the County. The hospital closed April 21, 2015. The County receives all of the ad valorem property tax, which is annually approximately \$3.3 million.

There currently are two agreements between the County and the District providing for the allocation of ad valorem property taxes from the District to the County. The two agreements are the Amended and Restated Second Agreement for Property Tax Transfer from the West Contra Costa Health Care District to Contra Costa County, dated July 16, 2013 (“Second Agreement”), and the Third Agreement for Property Tax Transfer From West Contra Costa Healthcare District to Contra Costa County, dated July 1, 2014 (“Third Agreement”).

The total remaining ad valorem property tax revenues to be transferred to the County under the Second Agreement is \$13,277,804. The total amount of ad valorem property tax revenues to be transferred to the County under the Third Agreement is \$8,200,000. The property tax revenues are allocated from the District to the County at the rate of approximately \$3,300,000 per fiscal year. This amount may be higher or lower depending on property values in the District’s tax rate areas. The two property tax transfer agreements operate sequentially. In other words, the parties have agreed that property tax revenues will not be allocated to the County under the Third Agreement, until after all property tax revenues have been allocated to the County under the Second Agreement.

The District has requested that the County agree to forego \$1,000,000 of the District’s ad valorem property tax allocation that would otherwise be allocated to the County under both the Second Agreement and under the Third Agreement for the purpose of assisting the District in winding down its affairs. The District’s annual cash spend for operations and on-going post-closure obligations exceeds the District’s current funding. DMC struggles from lack of cash. Wherever possible, DMC is holding off payment on invoices; however, annual costs to operate the District and honor owed obligations continue. The District lists its high level summary of annual costs to operate the District as:

- General operating costs \$475,000. Includes general office personnel and office rental, outside bookkeeping, District audit, pension audit, and COPs repayment oversight.
- Successor pension plan payments \$900,000. Annual amount to fund the underfunded pension plan for past employees. This is based on last year’s actuarial estimate.
- Medical retiree medical plans \$250,000. Annual payment to fund the medical retirement plan.
- Workers compensation \$250,000. Claims from past employees still actively receiving workers compensation.
- Medical record storage \$200,000. Annual costs to store and retrieve medical records for previous DMC patients.
- Biennial Election Costs \$450,000. Cost of funding required Special District election costs.

The proposed amendments to the County’s right to receive the allocation of District property taxes will not alter the total amount of property taxes that the District transferred to the County under the Second Agreement or Third Agreement, but will delay the repayment. Given the proposed amendment and the estimated total ad valorem, the final transfer will likely occur in FY 2023-24 rather than FY 2021-22. To make the amendment cost neutral to the County, the District would make a final transfer to the County of \$645,000, which would be added to the \$8.2 million in ad valorem property taxes to be transferred under the Third Agreement.

If this amendment is executed, the total amount of tax revenues allocated to the County from the District under the Second Agreement will be increased by \$645,000.

## CONSEQUENCE OF NEGATIVE ACTION:

The County will receive the entire allocation of ad valorem property taxes described in the First Agreement and the Second Agreement between the County and the West Contra Costa Healthcare District.

ATTACHMENTS

Resolution No. 2016/318

Amended and Restated Second Agreement for Property Tax Transfer from WCCHCD to Contra Costa County

Amended and Restated Third Agreement for Property Tax Transfer from WCCHCD to Contra Costa County

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

Adopted this Resolution on 04/12/2016 by the following vote:

AYE:   
NO:   
ABSENT:   
ABSTAIN:   
RECUSE:



**Resolution No. 2016/318**

**RESOLUTION AUTHORIZING AMENDMENTS TO PROPERTY TAX TRANSFERS FROM WEST CONTRA COSTA HEALTH CARE DISTRICT TO CONTRA COSTA COUNTY**

WHEREAS, the West Contra Costa Healthcare District, a California local health care district (the "District"), previously operated Doctors Medical Center – San Pablo, a licensed general acute care hospital located in San Pablo, California;

WHEREAS, Section 99.02 of the California Revenue and Taxation Code (the "R&T Code") authorizes the District and Contra Costa County (the "County") to modify the allocation of property tax revenues between them, provided the modification does not violate the conditions set forth in R&T Code Section 99.02 and does not affect the tax revenue allocation for any other public entity;

WHEREAS, the County and the District previously entered into two agreements that authorize the County Auditor to transfer and allocate to County ad valorem property tax revenues that otherwise would be allocated to the District — the Amended And Restated Second Agreement For Property Tax Transfer From West Contra Costa Healthcare District To Contra Costa County, dated July 16, 2013 (the "Second Agreement"), and the Third Agreement for Property Tax Transfer from West Contra Costa Healthcare District to Contra Costa County, dated July 1, 2014 (the "Third Agreement");

WHEREAS, the County and the District entered into an amendment to the Second Agreement, effective December 3, 2014, which directed the County Auditor Controller to allocate and transfer to the District \$3,000,000 in District ad valorem property taxes that would otherwise be transferred to the County under the Second Agreement;

WHEREAS, a total \$13,277,804 in ad valorem property tax revenue remains to be transferred to the County pursuant to the Second Agreement, and a total of \$8,200,000 in ad valorem property tax revenue remains to be transferred to the County pursuant to the Third Agreement, for a total combined sum of \$21,477,804 that remains due and owing to the County;

WHEREAS, in April, 2015, District announced that it would close Doctors Medical Center – San Pablo due to funding shortfalls;

WHEREAS, the District has requested that the County agree to forego \$1,000,000 of the District's ad valorem property tax allocation that would otherwise be transferred to the County on an annual basis under the Second Agreement and under the Third Agreement for the purpose of assisting the District in winding down its affairs;

WHEREAS, in consideration of County's agreement to forego \$1,000,000 in ad valorem property taxes that would otherwise be transferred to it under the Second Agreement and under the Third Agreement, and the resulting extension of time in which the County will receive the ad valorem property taxes under the Second Agreement and the Third Agreement, the District has agreed to authorize the County Auditor to make a final transfer of District ad valorem property taxes to the County in the amount of \$645,000, to be transferred after \$8,200,000 in District ad valorem property taxes have been transferred under the Third Agreement.

**NOW THEREFORE BE IT RESOLVED** by the Board of Supervisors of Contra Costa County that:

1. The foregoing recitals are incorporated herein by reference.
2. The County Administrator is directed to execute an amendment to the Second Agreement that directs the County Auditor to transmit to the District, instead of to the County, \$1,000,000 of the District's ad valorem property tax allocation beginning in fiscal year 2015-16, and continuing until all amounts to be transferred to the County under the Second Agreement have been transferred. The amendment to the Second Agreement will not alter the total amount of property taxes that the County Auditor is required to transfer to the County under the Second Agreement.

3. The County Administrator is directed to execute an amendment to the Third Agreement that (a) directs the County Auditor to transmit to the District, instead of to the County, \$1,000,000 of the District's ad valorem property tax allocation beginning in fiscal year 2015-16, and continuing until all amounts to be transferred to the County under the Third Agreement have been transferred, and (b) directs the County Auditor to make a final transfer of District ad valorem property taxes to the County in the amount of \$645,000, to be transferred after \$8,200,000 in District ad valorem property taxes have been transferred under the Third Agreement. The amendment to the Third Agreement will not alter the total amount of property taxes that the County Auditor is required to transfer to the County under the Third Agreement.

I hereby certify that this 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: Supervisor John Gioia (510)  
374-3231**

**ATTESTED: April 12, 2016**

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

By: , Deputy

**cc:** Robert Campbell, County Auditor-Controller, WCCHCD Board (via District I Office), Colin Coffey

**SECOND AMENDMENT TO AMENDED AND RESTATED SECOND AGREEMENT  
FOR PROPERTY TAX TRANSFER FROM WEST CONTRA COSTA HEALTHCARE  
DISTRICT TO CONTRA COSTA COUNTY**

This Second Amendment to Amended and Restated Second Agreement for Property Tax Transfer from West Contra Costa Healthcare District to Contra Costa County (this "Amendment"), dated April 12, 2016 (the "Effective Date"), is by and between the West Contra Costa Healthcare District, a California local health care district ("District"), and the County of Contra Costa, a political subdivision of the State of California ("County"), and amends the Amended and Restated Second Agreement for Property Tax Transfer from West Contra Costa Healthcare District to Contra Costa County, dated July 1, 2014 (the "Second Agreement"), between District and County.

**RECITALS**

I. WHEREAS, District previously operated an acute care hospital in San Pablo, California, doing business as "Doctor's Medical Center – San Pablo" ("DMC"), at which it provided care to, among others, Medi-Cal beneficiaries;

II. WHEREAS, on July 16, 2013, County and District entered into the Second Agreement, which provides that the County Auditor shall allocate and transfer to County the entirety of the general *ad valorem* property tax revenues that otherwise would be collected and allocated to District commencing July 1, 2013, as authorized by Section 99.02 of the California Revenue and Taxation Code, until the sum of all such allocations to County equals \$17,096,223.18;

III. WHEREAS, on July 1, 2014, County and District entered into the Third Agreement for Property Tax Transfer from West Contra Costa Healthcare District to Contra Costa County, which provided for County to transfer \$6,000,000 to District, and that the County Auditor shall allocate and transfer to County the entirety of the general *ad valorem* property tax revenues that otherwise would be collected and allocated to District commencing once the Second Agreement property tax transfers are complete, until the sum of all such allocations to County equals \$8,200,000;

IV. WHEREAS, District and County entered into the First Amendment To Amended And Restated Second Agreement For Property Tax Transfer From West Contra Costa Healthcare District To Contra Costa County, dated December 3, 2014, to document the one-time temporary suspension of up to \$3,000,000 of the fiscal year 2014-15 *ad valorem* property taxes that would otherwise be allocated to County under the Second Agreement;

V. WHEREAS, in April, 2015, District announced that it would close DMC due to funding shortfalls;

VI. WHEREAS, as of the Effective Date of this Amendment, the remaining amount of *ad valorem* property tax revenues to be transferred to County under the Second Agreement is \$13,277,804;

VII. WHEREAS, District has requested that County agree to forego \$1,000,000 of District's ad valorem property tax allocation that would otherwise be transferred to County on an annual basis under the Second Agreement for the purpose of assisting District in winding down its affairs; and

VIII. WHEREAS, County has agreed to forego \$1,000,000 of District's ad valorem property tax allocation that would otherwise be transferred to County on an annual basis under the Second Agreement for the purpose of assisting District in winding down its affairs pursuant to the terms of this Amendment.

NOW, THEREFORE, in consideration of the foregoing premises, other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the following terms and conditions, the parties hereto agree as follows:

### **AGREEMENT**

**A. PROPERTY TAX TRANSFER AGREEMENT AMENDMENT.** The Second Agreement is hereby amended as follows:

Section 2(A) – Continuing Property Tax Allocation. The second sentence of Section 2(A) of the Second Agreement is hereby deleted in its entirety and replaced with the following:

“The County Auditor shall allocate and transfer to County an amount equal to the general *ad valorem* property tax revenues that otherwise would be collected and allocated to District less \$1,000,000 (such reduced amount, the “New Transfer Amount”) , commencing July 1, 2016, and thereafter shall continue to allocate the New Transfer Amount of *ad valorem* property tax revenues to County from year to year, as authorized by R&T Code Section 99.02, until the sum of all such allocations to County equals the Restated Property Tax Transfer Amount and District has satisfied all of its other obligations herein.”

**B. COUNTERPARTS.** This Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the Effective Date.

**County of Contra Costa**

**West Contra Costa Healthcare District**

By: \_\_\_\_\_  
Name: David Twa  
Title: County Administrator  
Contra Costa County

By: \_\_\_\_\_  
Name: Irma Anderson  
Title: Chair, Board of Directors

Approved as to form:  
Sharon L. Anderson, County Counsel

Approved as to form:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
County Counsel

By: \_\_\_\_\_  
Name: Colin Coffey  
District Counsel

**FIRST AMENDMENT TO THIRD AGREEMENT FOR PROPERTY TAX TRANSFER  
FROM WEST CONTRA COSTA HEALTHCARE DISTRICT TO CONTRA COSTA  
COUNTY**

This First Amendment to Third Agreement for Property Tax Transfer from West Contra Costa Healthcare District to Contra Costa County (this “Amendment”), dated April 12, 2016 (the “Effective Date”), is by and between the West Contra Costa Healthcare District, a California local health care district (“District”), and the County of Contra Costa, a political subdivision of the State of California (“County”), and amends the Third Agreement for Property Tax Transfer from West Contra Costa Healthcare District to Contra Costa County, dated July 1, 2014 (the “Third Agreement”), between District and County.

**RECITALS**

I. WHEREAS, District previously operated an acute care hospital in San Pablo, California, doing business as “Doctor’s Medical Center – San Pablo” (“DMC”), at which it provided care to, among others, Medi-Cal beneficiaries;

II. WHEREAS, on July 16, 2013, County and District entered into the Amended and Restated Second Agreement for Property Tax Transfer from West Contra Costa Healthcare District to Contra Costa County, dated July 1, 2014, which provides that the County Auditor shall allocate and transfer to County the entirety of the general *ad valorem* property tax revenues that otherwise would be collected and allocated to District commencing July 1, 2013, as authorized by Section 99.02 of the California Revenue and Taxation Code, until the sum of all such allocations to County equals \$17,096,223.18;

III. WHEREAS, on July 1, 2014, County and District entered into the Third Agreement, which provided for County to transfer \$6,000,000 to District, and that the County Auditor shall allocate and transfer to County the entirety of the general *ad valorem* property tax revenues that otherwise would be collected and allocated to District commencing once the Second Agreement property tax transfers are complete, until the sum of all such allocations to County equals \$8,200,000;

IV. WHEREAS, in April, 2015, District announced that it would close DMC due to funding shortfalls; and

V. WHEREAS, as of the Effective Date of this Amendment, the remaining amount of *ad valorem* property tax revenues to be transferred to County under the Third Agreement is \$8,200,000.

VI. WHEREAS, District has requested that County agree to forego \$1,000,000 of District’s *ad valorem* property tax allocation that would otherwise be transferred to County on an annual basis under the Third Agreement for the purpose of assisting District in winding down its affairs;

VII. WHEREAS, County has agreed to forego \$1,000,000 of District’s *ad valorem* property tax allocation that would otherwise be transferred to County on an annual basis under

the Third Agreement for the purpose of assisting District in winding down its affairs pursuant to the terms of this Amendment; and

VIII. WHEREAS, in consideration of County's agreement to forego \$1,000,000 in ad valorem property taxes that would otherwise be transferred to it annually under the Third Agreement, and the resulting extension of time in which County will receive the ad valorem property taxes under the Third Agreement, District has agreed to authorize the County Auditor to make a final transfer of District ad valorem property taxes to County in the amount of \$645,000, to be transferred after \$8,200,000 in District ad valorem property taxes have been transferred under the Third Agreement.

NOW, THEREFORE, in consideration of the foregoing premises, other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the following terms and conditions, the parties hereto agree as follows:

### **AGREEMENT**

**A. PROPERTY TAX TRANSFER AGREEMENT AMENDMENT.** The Third Agreement is hereby amended as follows:

Section 2(A) – Continuing Property Tax Allocation. The third sentence of Section 2(A) of the Third Agreement is hereby deleted in its entirety and replaced with the following:

“Once the County Auditor has allocated and transferred to County general *ad valorem* property tax revenues in the amount of the Existing Property Tax Transfer Amount pursuant to the Amended and Restated Second Agreement, the County Auditor then shall (1) allocate and transfer to County from year to year, pursuant to this Agreement, an amount equal to the general *ad valorem* property tax revenues that otherwise would be collected and allocated to District less \$1,000,000 (such reduced amount, the “New Transfer Amount”), commencing July 1, 2016, as authorized by R&T Code Section 99.02, until the sum of all such allocations are equal to the New Property Tax Transfer Amount, and (2) after all of the New Property Tax transfer Amount has been transferred to County, allocate and transfer to County from year to year (as necessary), the entirety of the general *ad valorem* property tax revenues that otherwise would be collected and allocated to District as authorized by R&T Code Section 99.02, until the sum of all such allocations are equal to \$645,000.”

**B. COUNTERPARTS.** This Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the Effective Date.

**County of Contra Costa**

**West Contra Costa Healthcare District**

By: \_\_\_\_\_  
Name: David Twa  
Title: County Administrator  
Contra Costa County

By: \_\_\_\_\_  
Name: Irma Anderson  
Title: Chair, Board of Directors

Approved as to form:  
Sharon L. Anderson, County Counsel

Approved as to form:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
County Counsel

By: \_\_\_\_\_  
Name: Colin Coffey  
District Counsel



Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: April 12, 2016

Subject: REJECT all bids received on March 8, 2016, for the 2016 Bay Point Asphalt Rubber Cape Seal project, Bay Point area.

---

**RECOMMENDATION(S):**

REJECT all bids received on March 8, 2016, for the 2016 Bay Point Asphalt Rubber Cape Seal Project, and ORDER any bid bonds posted by the bidders to be exonerated and any checks or cash submitted for security shall be returned, Bay Point area.

**FISCAL IMPACT:**

Project to be funded by 93.3% Local Road Funds and 6.7% CalRecycle Grant Funds.

**BACKGROUND:**

The above project was previously approved by the Board of Supervisors, plans and specifications were filed with and approved by the Board, bids were invited by the Public Works Director and Addendum No. 1 was issued. On March 8, 2016, the Public Works Department received bids from the following contractors:

BIDDER, TOTAL UNIT AMOUNT

VSS International, Inc., \$1,736,832.00

American Pavement Systems, Inc., \$1,824,424.00

Telfer Pavement Technologies,

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Kevin Emigh,  
925-313-2233

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

LLC, \$1,863,717.00

Pavement Coatings Co., \$2,442,095.00

The Public Works Director recommends to the Board of Supervisors to exercise its discretion to reject all bids pursuant to the Notice to Bidders. Contra Costa County Public Works Department, like so many other local Public Works agencies (Cities and Counties), as well as the State Department of Transportation (Caltrans), is highly dependent on State gas tax revenues for funding a majority of operation and maintenance responsibilities on public roadway systems. Local Public Works agencies in California are seeing significant reductions in the allocation of State gas tax revenue for operations, maintenance, and capital improvements. In Contra Costa County, we have seen a decline in our gas tax revenue from \$27.2 million in Fiscal Year 2013/2014 to a projected \$18.9 million next year, a 70% decline in just a four year span.

Based on the current year monthly receipts of gas tax, the Public Works Department expects gas tax revenues to be less than projected in the Public Works budget. Based on the revenue situation, Public Works has determined that there will be insufficient gas tax funding to move forward with the 2016 Bay Point Asphalt Rubber Cape Seal project.

CONSEQUENCE OF NEGATIVE ACTION:

The Public Works Department may be unable to pay contractor for work performed.



Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: April 12, 2016

Subject: Construction Contract for the 2016 Slurry Seal Project, Alamo, Clayton, and Walnut Creek areas.

---

**RECOMMENDATION(S):**

- (1) APPROVE plans, specifications, and design for the 2016 Slurry Seal Project. Project No. 0672-6U2153-16
- (2) DETERMINE that Pavement Coatings Co., the lowest monetary bidder, has complied with the requirements of the County's Outreach Program and has exceeded the Mandatory Subcontracting Minimum for this project, as provided in the project specifications; and FURTHER DETERMINE that Pavement Coatings Co. has submitted the lowest responsive and responsible bid for the project.
- (3) AWARD the construction contract for the above project to Pavement Coatings Co. in the total amount (\$836,845.00) and the unit prices submitted in the bid, and DIRECT that Pavement Coatings Co. shall present two good and sufficient surety bonds, as indicated below, and that the Public Works Director, or designee, shall prepare the contract.
- (4) ORDER that, after the contractor has signed the contract and returned it, together with the bonds as noted below and any required certificates of insurance or other required documents, and the Public Works Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for this Board.
- (5) ORDER that,

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Kevin Emigh,  
925-313-2233

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

in accordance with the project specifications and/or upon signature of the contract by the Public Works Director, or designee, and bid bonds posted by the bidders are to be exonerated and any checks or cash submitted for security shall be returned.

(6) ORDER that, the Public Works Director, or designee, is authorized to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

(7) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

(8) DELEGATE, pursuant to Labor Code Section 6705, to the Public Works Director or to any registered civil or structural engineer employed by the County the authority to accept detailed plans showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection during trench excavation covered by that section.

(9) DECLARE that, should the award of the contract to Pavement Coatings Co. be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have exercised its discretion to reject all of the bids received. Nothing in this Board Order shall prevent the Board from re-awarding the contract to another bidder in cases where the successful bidder establishes a mistake, refuses to sign the contract, or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:

The construction contract and associated fees of this project will be funded by 100% Local Road Funds.

BACKGROUND:

The above project was previously approved by the Board of Supervisors, plans and specifications were filed with the Board, and bids were invited by the Public Works Director. On March 8, 2016, the Public Works Department received bids from the following contractors:

BIDDER, TOTAL AMOUNT, BOND AMOUNTS

Pavement Coatings Co., \$836,845.00; Payment: \$836,845.00; Performance: \$836,845.00

California Pavement Maintenance Company, Inc., \$841,943.46

Graham Contractors, Inc., \$869,842.30

Telfer Pavement Technologies, LLC, \$917,254.00

VSS International, Inc., \$921,777.00

American Pavement Systems, Inc., \$1,004,473.84

The Public Works Director has determined that Pavement Coatings Co. ("Pavement Coatings Co.") documented an adequate good faith effort to comply with the requirements of the County's Outreach Program and exceeded the Mandatory Subcontracting Minimum for this project, and the Public Works Director recommends that the construction contract be awarded to Pavement Coatings Co.

The Public Works Director recommends that the bid submitted by Pavement Coatings Co. is the lowest responsive and responsible bid, which is \$5,098.46 less than the next lowest bid, and this Board concurs and so finds.

The Board of Supervisors previously determined that the project is exempt from the California Environmental Quality

Act as a Class 1(c) exemption, and a Notice of Exemption was filed with the County Clerk on February 4, 2016.

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

CONSEQUENCE OF NEGATIVE ACTION:

Construction of this project would be delayed, and the project might not be built.



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: April 12, 2016

Subject: Marsh Creek Corridor Multi-Use Trail Concept

---

**RECOMMENDATION(S):**

APPROVE the following recommendations related to the Marsh Creek Multi-Use Trail concept:

- 1) ACCEPT background report from staff of the Departments of Public Works and Conservation and Development on the general concept;
- 2) ADOPT Resolution No. 2016/326 supporting exploration of the concept of the Marsh Creek Corridor Multi-Use Trail, and supporting efforts to identify and secure funding for this project;
- 3) In collaboration with other proponents of the concept, ADVOCATE for support and funding for the Marsh Creek Corridor Multi-Use Trail, including study and potential implementation, in local, state, and federal transportation, recreation, park, and open space funding efforts and REQUEST consideration of the Marsh Creek Multi-use Trail in the sales tax matter currently under consideration by the Contra Costa Transportation Authority;
- 4) DIRECT staff to refine the preliminary budget and develop a scope of work for the feasibility analysis and AUTHORIZE staff to work with other prospective project partners to seek funding opportunities.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: John Cunningham (925)  
674-7833

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

By: , Deputy

cc:

## FISCAL IMPACT:

The recommended pre-project activities are covered under existing departmental budgets. (100% Dedicated Transportation Funds)

## BACKGROUND:

Marsh Creek Road is a major thoroughfare that connects Central County and East County. Currently, a significant number of bicycle trips take place on Marsh Creek Road, in spite of the lack of bicycle paths. Marsh Creek Road within Clayton has an existing Class II bicycle lane<sup>(1)</sup>, which connects to Clayton's extensive trail network. In East Contra Costa County, the Marsh Creek Trail currently runs from the Big Break Regional Shoreline in Oakley to the southern city limits of Brentwood. The East Bay Regional Park District plans to extend the Marsh Creek Trail from the Brentwood city limits along Marsh Creek Road to the Round Valley Regional Reserve.

The proposed new multi-use trail would create a new, major non-motorized east-west thoroughfare for expanded commuting and recreational opportunities. It would provide non-motorized access to Downtown Clayton, Diablo View Middle School, Mount Diablo, Round Valley Regional Preserve, and the existing Marsh Creek Trail in Brentwood and Oakley. The purpose of the trail would be to provide a safe, useful and enjoyable transportation corridor for various forms of non-motorized travel, including pedestrian, equestrian and bicycle users (including serious cyclists). The trail is proposed to be sized and designed to encourage and accommodate use by these different user groups.

Once this trail and adjacent paths are completed, there will be one continuous non-motorized trail from Downtown Concord to Oakley. The trail could possibly be located on the opposite side of the creek from the road, immediately adjacent to the road itself or some distance from the creek or the road in constrained areas. Construction of the trail could be incorporated into, and performed in conjunction with, the Marsh Creek restoration project, as called for in the East Contra Costa County East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP), and be constructed in a sensitive manner that reflects the scenic and natural resources of the area.

A number of agencies and organizations and agencies are proposed to and are considering adoption of a resolution regarding the Marsh Creek Corridor Multi-Use Trail. The East Contra Costa County Habitat Conservancy, a joint exercise of Powers Authority formed by the Cities of Brentwood, Clayton, Oakley and Pittsburg and the County, has already adopted a resolution of support. In addition to the County, resolutions similar to Resolution No. 2016/326, are proposed to be considered by the City Councils of Brentwood, Clayton and Oakley, by the East Bay Regional Park District and by other prospective partners such as Save Mount Diablo, Friends of Marsh Creek Watershed, Bike East Bay, TRANSPAC and TRANSPLAN.

The next step to explore the concept of the Marsh Creek Corridor Multi-Use Trail is to secure funding and perform a feasibility study. The goals of this study would be the following:

- Conduct outreach to the public on the concept;
- Better define the goals and objectives of the project;
- Collect data useful to planning for the project, possibly including estimates of usage;
- Define concept alternatives, including options for alignments, cross-sections, and phasing; and
- Better define future costs and potential funding sources.

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(1) **Caltrans Bicycle Facility Designations:** Class I Bikeway (Bike Path) = A path separated from the roadway for non-motorized use. **Class II Bikeway (bike lane) = An on-street striped bike lane,** Class III Bikeway (Bike Route) = A street appropriate for bike usage but without any particular bike amenities, Class IV Bikeway (Separated Bikeway) = a bike lane that includes some type of separation that may include grade separation, flexible posts, inflexible physical barriers, or on-street parking.

**Preliminary Budget by Task for Feasibility Analysis  
for Marsh Creek Corridor Multi-Use Trail**

Phase and Tasks	Preliminary Cost Estimate
1) Feasibility Analysis (cost detail by task)	\$500,000 (total)
a. Develop detailed scope of work	(staff costs)
b. Recruit and hire consultant	(staff costs)
c. Define project goals and objectives	\$5,000
d. Gather and analyze data on setting, opportunities & constraints	\$200,000
e. Public outreach and involvement	\$30,000
f. Define concept alternatives (routes, cross-sections etc.)	\$240,000
g. Prepare and print final feasibility report	\$25,000
2) Planning and environmental review	approx. \$1,500,000
3) Design	approx. \$3M
4) Right-of-Way Acquisition and Construction	approx. \$50M
5) Maintenance costs and funding	TBD

CONSEQUENCE OF NEGATIVE ACTION:

This project may not proceed without action from the Board of Supervisors who is the current primary project sponsor.

ATTACHMENTS

Resolution No. 2016/326

Marsh Creek Multi-Use Trail Information sheet and map

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

Adopted this Resolution on 04/12/2016 by the following vote:

**AYE:**

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2016/326**

**RESOLUTION OF THE CONTRA COSTA COUNTY BOARD OF SUPERVISORS SUPPORTING THE CONCEPT OF A MARSH CREEK CORRIDOR MULTI-USE TRAIL THAT CONNECTS THE DELTA TO MOUNT DIABLO AND NEIGHBORING COMMUNITIES**

WHEREAS, Marsh Creek Road is a major thoroughfare that connects Central Contra Costa County and East Contra Costa County and is the gateway to 110,000 acres of open space and recreational areas managed by the East Bay Regional Park District, Contra Costa Water District, State Parks and other local jurisdictions; and

WHEREAS, a significant number of bicycle trips take place on Marsh Creek Road, in spite of the lack of a bicycle path or a dedicated lane; and

WHEREAS, Marsh Creek Road within Clayton has an existing Class II bicycle lane, which connects to Clayton's extensive trail network into Concord and Mount Diablo State Park; and

WHEREAS, in East Contra Costa County, the Marsh Creek Trail currently runs from the Big Break Regional Shoreline in Oakley to the southern city limits of the City of Brentwood, leaving a gap between that terminus and trails in the City of Clayton; and

WHEREAS, the completed multi-use trail would create a new major non-motorized east-west thoroughfare for expanded and safer commuting and recreational opportunities, would provide non-motorized access to Downtown Clayton, Diablo View Middle School, Mount Diablo State Park, Round Valley Regional Preserve, and the Marsh Creek Trail through Brentwood and Oakley; and

WHEREAS, once this trail and adjacent trails are completed, there will be one continuous non-motorized route from Central Contra Costa County to the Delta; and

WHEREAS, improved access to separated trails, of the type proposed, are consistently shown to substantially increase use of non-motorized modes of travel relative to facilities in the shared roadway; and

WHEREAS, construction of the trail could be performed in conjunction with restoration of Marsh Creek, as anticipated in the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan and be constructed in a sensitive manner that reflects the scenic and natural resources of the area.

NOW, THEREFORE, BE IT RESOLVED that the CONTRA COSTA COUNTY BOARD OF SUPERVISORS will support exploration of the concept of the Marsh Creek Corridor Multi-Use Trail, and will support efforts to identify and secure funding for this project, including study and potential implementation, in local, state, and federal transportation, recreation, park and open space funding efforts.

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

**ATTESTED: April 12, 2016**

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

**Contact: John Cunningham (925) 674-7833**

By: , Deputy

**cc:**



# MARSH CREEK CORRIDOR MULTI-USE TRAIL

## CONCEPT FOR EXPANDED CONNECTIVITY: DELTA SHORELINE TO MOUNT DIABLO



*Cyclist on Marsh Creek Road*



*Marsh Creek Corridor*



*View of multi-use trail*

**Project Description:** Develop an approximately 15-mile long multi-use trail through the Marsh Creek Corridor on or near Marsh Creek Road between the City of Clayton and the City of Brentwood. Once this trail and adjacent trails are completed, there will be one continuous non-motorized route from Concord to Mount Diablo that ultimately continues to the shoreline of the Delta in Oakley.

**Background:** Marsh Creek Road is a major thoroughfare that connects Central and East Contra Costa County. This stretch of Marsh Creek Road where a trail is proposed receives up to 10,000 average vehicle trips a day. The western segment of Marsh Creek Road carries a higher volume of commuters on average each day due to its proximity to the City of Clayton while the eastern segment near Round Valley Regional Preserve (Deer Valley Road) receives significantly fewer average daily vehicle trips. Marsh Creek Road is the gateway to 110,000 acres of open space and recreational areas managed by the East Bay Regional Park District, Contra Costa Water District, State Parks, and other organizations. A significant number of bicycle trips take place on Marsh Creek Road, in spite of the lack of a bicycle path or designated lane. Marsh Creek Road within Clayton has an existing Class II bicycle lane, which connects to Clayton's extensive trail network. In East Contra Costa County, the Marsh Creek Trail currently runs from the Big Break Regional Shoreline in Oakley to the southern city limits of the City of Brentwood. The East Bay Regional Park District plans to extend the Marsh Creek Trail through the City of Brentwood to the Round Valley Regional Preserve. After that section is completed, a gap in the multi-use trail would still exist between Round Valley Regional Preserve and the City of Clayton.

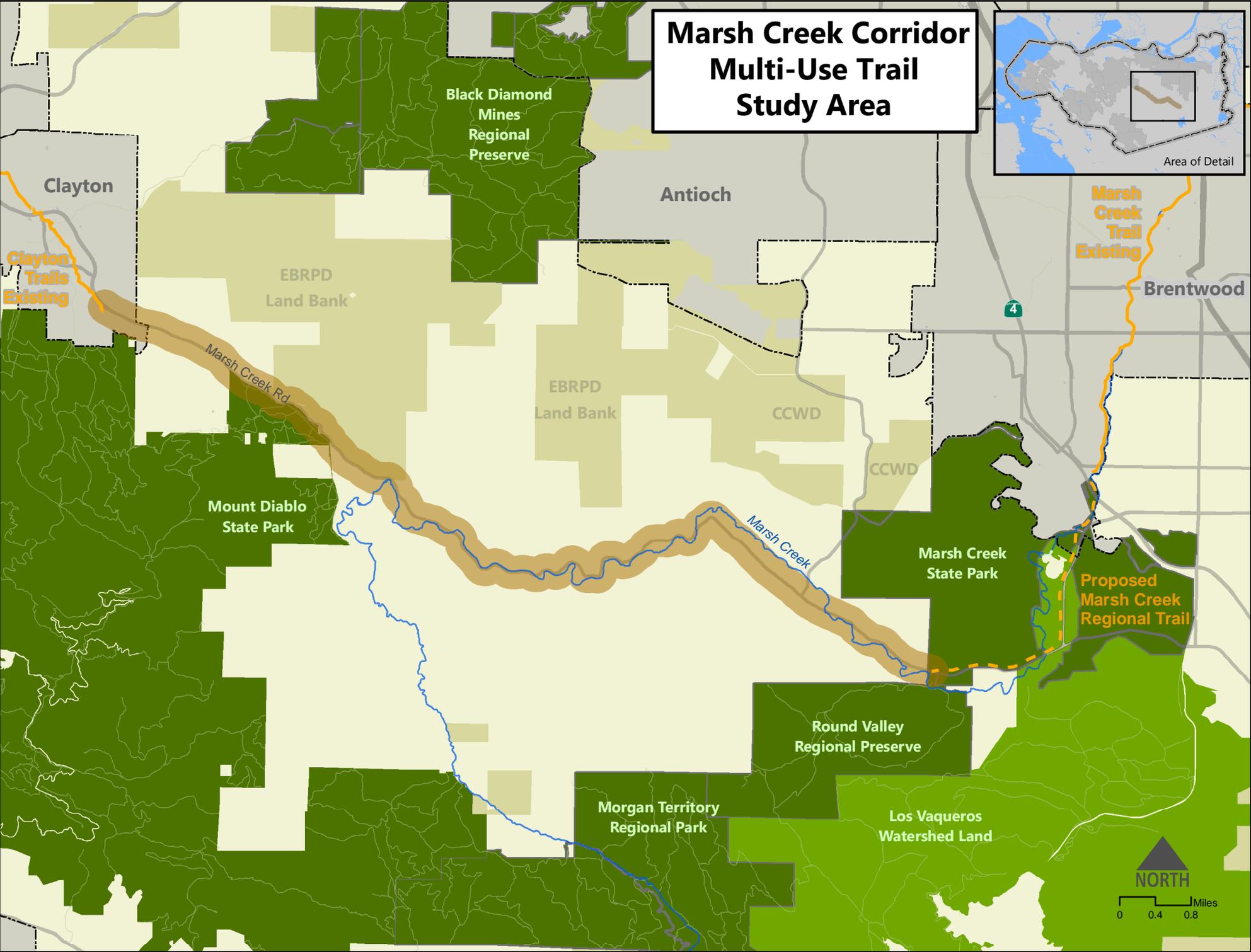
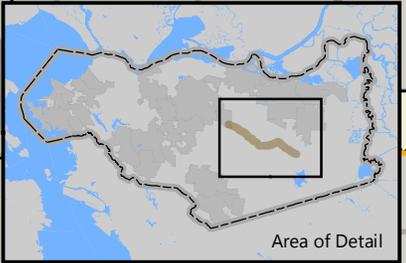
**Benefits:** The completed multi-use trail will create a new major non-motorized east-west thoroughfare for expanded commuting and recreational opportunities. It will provide access to downtown Clayton, Diablo View Middle School, Mount Diablo State Park, Round Valley Regional Preserve, and the existing Marsh Creek Trail in Brentwood and Oakley. Once this trail is completed, there will be one continuous trail from Concord to the Delta shoreline in Oakley that can accommodate various forms of non-motorized travel, including pedestrians, bicyclists, and equestrians. Various trail alignment options are available that allow for flexible design opportunities. These include potential alignments that follow the creek, the road or separate the trail entirely to follow safer and more user-friendly routes. Construction of the trail could be performed in conjunction with restoration of Marsh Creek, as anticipated in the East Contra Costa County Habitat Conservation Plan /Natural Community Conservation Plan, and be constructed in a manner that reflects the scenic and natural resources of the area.

**Policies:** Both the County's General Plan and the Contra Costa Transportation Authority's Countywide Bicycle and Pedestrian Plan call for bicycle facilities along Marsh Creek Road.

**Funding Opportunities:** A number federal, state, and local funding opportunities exist to support the planning, additional ROW acquisition, and construction of the Marsh Creek Trail. Local agencies in Contra Costa County have an additional opportunity to generate secure local funding by including the Marsh Creek Trail as a project in the upcoming proposed augmentation of the county-wide transportation sales tax.

**Cost:** TBD

# Marsh Creek Corridor Multi-Use Trail Study Area





Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: April 12, 2016

Subject: Accepting completion of warranty period and release of cash deposit for the Subdivision Agreement for SD03-08689, San Ramon (Dougherty Valley)

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2016 /156 accepting completion of the warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, subdivision SD03-08689, for a project developed by Shapell Industries of Northern California, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

**FISCAL IMPACT:**

100% Developer Fees. The funds to be released are developer fees that have been held on deposit.

**BACKGROUND:**

The public improvements have met the guarantee performance standards for the warranty period following completion and acceptance of the improvements.

**CONSEQUENCE OF NEGATIVE ACTION:**

The completion of improvements will not be accepted and the maintenance/warranty period will not begin.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Jocelyn LaRocque,  
925-313-2315

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

By: , Deputy

cc: S. Reed, Design/Construction, L. Leontoni, ES, C. Low, City of San Ramon, Shapell Industries of Nor. Cal, The Continental Insurance Company

ATTACHMENTS

Resolution No.

2016/156

Recorded at the request of: **Public Works, Engineering Services Division**

Return To: **Public Works, 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 04/12/2016 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2016/156

Accepting completion of the warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, for subdivision SD03-08689, for a project developed by Shapell Industries of Northern California, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

On July 9, 2013, this Board resolved that the improvements in subdivision SD03-08689 were completed as provided in the Subdivision Agreement with Shapell Industries of Northern California, a Division of Shapell Industries, Inc., a Delaware Corporation, and now on the recommendation of the Public Works Director;

The Board hereby FINDS that the improvements have satisfactorily met the guaranteed performance standards for the period following completion and acceptance.

That the Public Works Director is **AUTHORIZED** to **REFUND** the \$17,000.00 cash deposit (Auditor's Deposit Permit No.606800, dated June 19, 2012) plus interest to Shapell Industries of Northern California, a Division of Shapell Industries, Inc., a Delaware Corporation in accordance with Government Code Section 53079, if appropriate, Ordinance Code Section 94-4.406, and the Subdivision Agreement.

**BE IT FURTHER RESOLVED** that upon completion of the warranty and maintenance period, the San Ramon City Council shall accept the civil improvements for maintenance in accordance with the Dougherty Valley Memorandum of Understanding.

**BE IT FURTHER RESOLVED** that the warranty period has been completed and the Subdivision Agreement and surety bond, Bond No.929 548 086, dated July 31, 2012, issued by The Continental Insurance Company, are exonerated.

Contact: **Jocelyn 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: April 12, 2016**

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

By: , Deputy

**cc:** S. Reed, Design/Construction, L. Leontoni, ES, C. Low, City of San Ramon, Shapell Industries of Nor. Cal, The Continental Insurance Company



Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: April 12, 2016

Subject: Accepting completion of landscape improvements for the Subdivision Agreement (Right-of-Way Landscaping) for RA04-01168, San Ramon (Dougherty Valley)

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2016/155 accepting completion of landscape improvements for the Subdivision Agreement (Right-of-Way Landscaping) for road acceptance RA04-01168 (cross-reference subdivision SD04-08856), for a project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

**FISCAL IMPACT:**

100% Developer Fees. The funds to be released are developer fees that have been held on deposit.

**BACKGROUND:**

The developer has completed the landscape improvements per the Subdivision Agreement (Right-of-Way Landscaping), and in accordance with the Title 9 of the County Ordinance Code.

**CONSEQUENCE OF NEGATIVE ACTION:**

The completion of improvements will not be accepted and the maintenance/warranty period will not begin.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Jocelyn LaRocque,  
925-313-2315

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

By: , Deputy

cc: S. Reed, Design/Construction, L. Leontoni, ES, L. Stritt, Shapell Homes, C. Hallford, Mapping Div, C. Low, City of San Ramon, The Continental Insurance Company

ATTACHMENTS

Resolution No.  
2016/155

Recorded at the request of: Public Works, Engineering Services Division

Return To: Public Works, 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 04/12/2016 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2016/155

Accepting completion of landscape improvements for the Subdivision Agreement (Right-of-Way Landscaping) for road acceptance RA04-01168 (cross-reference subdivision SD04-08856), for a project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

These improvements are approximately located along Dougherty Road from Bollinger Canyon Road to Park Avenue.

The Public Works Director has notified this Board that the Subdivision Agreement (Right-of-Way Landscaping) for RA04-01168 (cross-reference Subdivision SD04-8856), have been completed as provided in the Subdivision Agreement (Right-of-Way Landscaping) with Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, heretofore approved by this Board;

That the landscape improvements have been **COMPLETED** as of April 12, 2016, thereby is establishing the six-month terminal period for the filing of liens in case of action under said Subdivision Agreement (Right-of-Way Landscaping):

DATE OF AGREEMENT

May 12, 2009

NAME OF SURETY

The Continental Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$108,800.00, Bond No. 929 474 609 issued by the above surety be **RETAINED** for the six month lien guarantee period until October 12, 2016, at which time the Board **AUTHORIZES** the release of said surety less the amount of any claims on file.

BE IT FURTHER RESOLVED that the landscaping improvements for RA04-01168 (cross-reference subdivision SD04-08856) on along Dougherty Road from Bollinger Canyon Road to Park Avenue are **ACCEPTED AS COMPLETE**.

BE IT FURTHER RESOLVED that upon completion of the warranty and maintenance period, the San Ramon City Council shall accept the landscape improvements for maintenance in accordance with the Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that the beginning of the warranty and maintenance period is hereby established, and the \$2,200.00 cash deposit (Auditor's Deposit Permit No. 522781, dated April 23, 2009) made by Shapell Homes, A Division of Shapell Industries, Inc., a Delaware Corporation, and the performance/maintenance surety bond rider for \$215,400.00, Bond No. 929 474 609, issued by The Continental Insurance Company be **RETAINED** pursuant to the requirements of Section 94?4.406 of the Ordinance Code until release by this Board.

**Contact: Jocelyn 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: April 12, 2016**

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

By: , Deputy

**cc:** S. Reed, Design/Construction, L. Leontoni, ES, L. Stritt, Shapell Homes, C. Hallford, Mapping Div, C. Low, City of San Ramon, The Continental Insurance Company



Contra  
Costa  
County

To: Board of Supervisors  
From: Keith Freitas, Airports Director  
Date: April 12, 2016

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Concord Flying Club for a shade hangar at Buchanan Field Airport effective March 25, 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

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Beth Lee, (925)  
681-4200

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

for the maintenance and property management of the property during that 30-year period.

On September 1, 2000, the County obtained ownership of the aircraft hangars and shelters, pursuant to the terms of the above lease.

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

CFC Hangar Agreement

## CONTRA COSTA COUNTY - BUCHANAN FIELD AIRPORT

### T-HANGAR AND SHADE HANGAR RENTAL AGREEMENT

1. **PARTIES:** March 25, 2016 ("Effective Date"), the COUNTY OF CONTRA COSTA, a political subdivision of the State of California ("**Airport**"), **Concord Flying Club** ("**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-18** 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 **March 25, 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: Board of Supervisors  
From: Keith Freitas, Airports Director  
Date: April 12, 2016

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Kent Ipsen for a Large T-hangar at Buchanan Field Airport effective March 18, 2016 in the monthly amount of \$748.23, Pacheco area.

**FISCAL IMPACT:**

The Airport Enterprise Fund will realize \$8,978.76 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

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Beth Lee, (925)  
681-4200

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

of the aircraft hangars and shelters, pursuant to the terms of the above lease.

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

Hangar Rental Agreement-Kent Ipsen

## CONTRA COSTA COUNTY - BUCHANAN FIELD AIRPORT

### LARGE AIRCRAFT HANGAR RENTAL AGREEMENT

1. **PARTIES:** Effective March 18, 2016 (the “**Effective Date**”), the COUNTY OF CONTRA COSTA, a political subdivision of the State of California (“**Airport**”), and Kent Ipsen (“**Renter**”), hereby mutually agree and promise as follows:
2. **RENTER AND AIRCRAFT INFORMATION:** Simultaneous with the execution of this Large Aircraft Hangar Rental Agreement (this “**Rental Agreement**”) by Renter, Renter shall complete a Renter and Aircraft Information Form attached hereto as Exhibit A for each of the aircraft to be stored in Renter’s Large Aircraft Hangar. 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 for each of Renter’s Aircraft or, if any of Renter’s 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 for each of Renter’s Aircraft.
3. **PURPOSE:** The purpose of this Rental Agreement is to provide for the rental of a large aircraft hangar space at the Contra Costa County - Buchanan Field Airport for the storage of the aircraft described in the Renter and Aircraft Information Form attached hereto as Exhibit A (individually or collectively, as the case may be, “**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 large aircraft hangar shown as # F-03 on the Large Aircraft Hangar Site Plan, attached hereto as Exhibit B and incorporated herein (hereinafter referred to as the “**Large Aircraft Hangar**”).

Renter has inspected the Large Aircraft Hangar and hereby accepts the Large Aircraft 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 Large Aircraft Hangar.

5. **USE:** The Large Aircraft Hangar shall be used exclusively by Renter for the storage of Renter’s Aircraft. In addition to the storage of Renter’s Aircraft, Renter may use the Large Aircraft 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 Large Aircraft 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 Large Aircraft Hangar for the storage of aircraft not owned or leased by Renter is prohibited. (the term "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 Large Aircraft 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 validly registered with the FAA as of the Effective Date, upon completion of construction, Renter shall register such aircraft 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 **March 18, 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 \$ 748.23 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 based on a thirty-day month and shall be due and payable at the time the Renter signs this Rental Agreement.

The Monthly Rent shall be adjusted annually by the change in Consumer Price Index ("**CPI**"), as defined hereinbelow, for the latest one year period ending December 31 of each year. CPI, as used herein, shall mean the Consumer Price Index for all Urban Consumers, All Items, for the San Francisco-Oakland-San Jose Metropolitan Area, as published by the Bureau of Labor Statistics of the U.S. Department of Labor, or its successor. Notwithstanding anything in the foregoing to the contrary, (1) at no time will the Monthly Rent be decreased by CPI adjustment; and (2) no single increase in Monthly Rent shall exceed 6 percent of the applicable Monthly Rent. The new Monthly Rent will take effect thirty (30) days after Airport gives written notice to Renter of the new Monthly Rent amount.

All other payments due from Renter to Airport under this Rental Agreement, including, but not limited to, administrative late charges, interest, and returned check charges, shall be deemed additional rent ("**Additional Rent**"). Airport shall apply any moneys received from Renter to the oldest amount due on Renter's account. Any amounts owed by Renter to Airport prior to the execution of this Rental Agreement shall be deemed due under this Rental Agreement on the commencement date of this Rental Agreement.

i. **Administrative Late Charge and Interest.** If Renter fails to pay Monthly Rent or Additional Rent by the fifth day after it is due, Renter shall be liable for an administrative late charge in the amount of fifty dollars (\$50.00), plus interest at the rate of 1.5% per month, which shall be due and payable seven (7) days after Airport gives Renter an invoice of said demand for payment of Monthly Rent or Additional Rent that is not paid on its due date. Airport and Renter hereby agree that it



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: April 12, 2016

Subject: claims

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**RECOMMENDATION(S):**

DENY claims filed by USSA Insurance for Stephanie Green, Nationwide Ins. a/s/o Wunmi Mohammed-Kamson, Jane Young, Jonathan Ortega, and CSAA o/b/o Jesus Alvarado Rodriguez. DENY late claims filed by Allison Cassidy on behalf of her son, Delano Cassidy, a minor.

Acting as the Contra Costa County Fire Protection District Board, DENY claims filed by State Farm Ins. for Stephen Zendt and an amended claim filed by State Farm Ins. for Stephen Zendt.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Joellen Balbas  
925-335-1906

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

By: , Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: April 12, 2016

Subject: Proclaim April 6-12, 2016 as "Week of the Young Child" in Contra Costa County

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**FISCAL IMPACT:**

None

**CONSEQUENCE OF NEGATIVE ACTION:**

The importance of early childhood education will not receive the added attention it deserves.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: J. Bhambra,  
681-6304

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

By: , Deputy

cc: Jagjit Bhambra

ATTACHMENTS

Resolution No.

2016/140

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

In the matter of:

**Resolution No. 2016/140**

**proclaiming April 10 through April 16, 2016, Week of the Young Child in recognition of Contra Costa County's continued commitment to investment in young children and their families.**

Whereas the National Association for the Education of Young Children, in conjunction with the Contra Costa County Board of Supervisors, Contra Costa County Employment and Human Services Department, Community Services Bureau's Head Start and Child Development Program, Contra Costa County Local Planning and Advisory Council for Early Care and Education, Contra Costa Child Care Council, The Contra Costa County of Education and First 5 Contra Costa is celebrating the thirty-fifth annual Week of the Young Child during April 10-16, 2016; and

Whereas Contra Costa County shares a dedication for every young child to have access to safe, healthy, quality environments with passionate, educated, skilled, well-compensated and dedicated teachers; and

Whereas the theme of the 2016 Week of the Young Child is Access to Quality, highlighting that today we know more than ever before about the importance of children's earliest years in shaping their learning and development. Yet, never before have the needs of young children and their families been more pressing; and

Whereas we have known for decades that the 0-5 years are the most critical in every human's life, when 90% of our brains are formed, when capacity for learning is unlimited and our potential boundless; and

Whereas to achieve the best brain development, young children need to form secure bonds with the people who care for them, and

Whereas it is difficult to attract and retain the best and brightest teachers when early care and education workforce wages are among the lowest nationwide;

Whereas nearly half of early educators (nationally) relies on public assistance to continue to teach and care for young children; and

Whereas here in Contra Costa, families continue to struggle to make ends meet when nearly 22% of Contra Costa County's workforce are single mothers;

Whereas 52% of eligible families for subsidized child care are unable to benefit from high quality early education because there are not enough subsidies available; and

Whereas a Contra Costa County minimum wage worker earning \$10/hour spends 58% of their paycheck on child care costs; and

Whereas Contra Costa County is committed to closing the gap for families to access high quality early learning; and

Whereas more than \$80,000,000 in public funding for child care and early learning is invested in Contra Costa each year;

Whereas the purpose of the Week of the Young Child is to recognize the healthy development and education of all children is the responsibility of all of us, and to recommit ourselves to ensuring that each and every child experiences the type of early environment—at home, at child care, at school, and in the community—that will promote their early development; and

Now, Therefore, Be It Resolved that the Contra Costa County Board of Supervisors hereby declares April 10-16, 2016 the Week of the Young Child in Contra Costa County in honor of all of those committed to enhancing the lives of young children and their families, and encourages all citizens to support the investments for quality early care and education that will benefit all of Contra Costa's families.

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**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: April 12, 2016

David J. Twa,

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Mark Peterson, District Attorney  
Date: April 12, 2016

Subject: National Crime Victims' Rights Week Presentation

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**RECOMMENDATION(S):**

ADOPT a Resolution to proclaim April 10-16, 2016 as National Crime Victims' Rights Week in promotion of victims' rights and to recognize crime victims and those who advocate on their behalf.

**FISCAL IMPACT:**

None

**BACKGROUND:**

The National Campaign for Victims' Rights led to President Ronald Reagan's reforms on behalf of crime victims, his declaration of the first National Crime Victims' Rights Week, and victims' rights legislation and victim services. National Crime Victims' Rights Week offers an opportunity to renew and strengthen our partnerships and teamwork, and to highlight the collaborative approaches that are integral to the U.S. Department of Justice's mission. Through partnerships, organizations can mobilize their experience, skills, resources, and stakeholders to help plan a powerful strategy to provide direct services to crime victims.

In commemoration of National Crime Victims' Rights Week the District Attorney's Office

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Cherie Mathisen,  
957-2234

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

will host on Friday, April 15, 2016 from 10:30 a.m. to noon in the Community Room located at 900 Ward Street, Martinez, a special ceremony to recognize the following Victim Assistance Program Volunteers: Jim Fulton, Roger Ryerson, Samuel Brewer, Hector Flores, Giovanni Vega and Emilee Divinagracia; and the following Award Winners:

Clerical Staff John Pippig

Crime Victim Advocate Marlen Valenzuela

District Attorney Investigator James Morris-General Prosecutions; Tim Weaver-Special Victims

Law Enforcement: Domestic Violence Matt Stonebraker, Richmond Police Dept.

Law Enforcement: Crimes Persons Det. Erin Bai, CCCSO

Law Enforcement: Crimes Persons Det. Ed Sanchez, Pittsburg Police Department

Deputy District Attorney Kabu Adodoaji

Deputy District Attorney - Restitution-Sloan Heffron

Making A Difference Award - Sherry Cook, Foster Parent

Special Courage Award Crime Survivor - Yasmine Harris and Cecilia Kioa

Above and Beyond Award - Shane Wheaton, Witness

Above and Beyond Award - Mona Hunley, Concord Police Department

ATTACHMENTS

Resolution No. 2016/136

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

In the matter of:

**Resolution No. 2016/136**

**PROCLAIMING APRIL 10-16, 2016 AS NATIONAL CRIME VICTIMS' RIGHTS WEEK**

Whereas, Americans are the victims of more than 20 million crimes each year and these crimes can touch the lives of anyone regardless of age, national origin, race, creed, religion, gender, sexual orientation, immigration, or economic status;

Whereas, Many victims face challenges in finding appropriate services, including victims with disabilities, young victims of color, Deaf and hard of hearing victims, LGBTQ victims, tribal victims, elder victims, victims with mental illness, immigrant victims, teen victims, victims with limited English proficiency, and others;

Whereas, Too many communities feel disconnected from the justice and social response systems, and have lost in the ability of those systems to recognize them and respond to their needs;

Whereas, Victims of repeat victimization who fail to receive support services are at greater risk for long term consequences of crime;

Whereas, The victim services community has worked for decades to create an environment for victims that is safe, supportive, and effective;

Whereas, Intervening early with services that support and empower victims provides a pathway to recovery from crime and abuse;

Whereas, Honoring the rights of victims, including the right to be heard and to be treated with fairness, dignity and respect, and working to meet their needs rebuilds their trust in the criminal justice and social service systems;

Whereas, Serving victims and rebuilding their trust restores hope to victims and survivors, as well as their communities;

Whereas, National Crime Victims' Rights Week, April 10-16, 2016, is an opportune time to commit to ensuring that all victims of crime—even those who are challenging to reach or serve—are offered culturally and linguistically accessible and appropriate services in the aftermath of crime;

Whereas, the Contra Costa County Board of Supervisors is joining forces with the victim service providers, criminal justice agencies, and concerned citizens throughout Contra Costa County and America to raise awareness of victims' rights and observe National Crime Victims' Right Week:

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors does hereby reaffirm their commitment to respect and enforce victims' rights and address their needs during National Crime Victims' Rights Week and throughout the year, and is hereby dedicated to serving victims, building trust and restoring hope for justice and healing:

\_\_\_\_\_  
**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: April 12, 2016

David J. Twa,

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: April 12, 2016

Subject: Resolution declaring April, 2016 as "Child Abuse Prevention Month" in Contra Costa County

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Lauri Byers (925)  
957-8860

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.

2016/125

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

In the matter of:

**Resolution No. 2016/125**

**Recognizing April, 2016 as "Child Abuse Prevention Month" in Contra Costa County.**

**Whereas**, Child Abuse Prevention Month has been observed for the past 25 years since it was first proclaimed by the U.S. President in 1982; and

**Whereas**, Child abuse and neglect affect children of all ages, races, and incomes, but it is 100 percent preventable; and

**Whereas**, national statistics show that one in four girls and one in four boys will be mistreated before the age of eighteen, while children with disabilities are three to seven times more likely to suffer from child abuse than children without disabilities; and

**Whereas**, despite outreach and community efforts, the rising number of reported child abuse cases remains a great concern, and highlights the need for increased protection and improved services for abused and neglected children; and

**Whereas**, most experts believe the number of incidents of abuse are far greater than what is reported; early intervention child abuse programs are critical for preventing abuse, and can positively impact at-risk families, protecting children.

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County does hereby recognize the efforts made by the Child Abuse Prevention Council and acknowledges its hard work to prevent child abuse throughout Contra Costa County, declaring April, 2016 as **Child Abuse Prevention Month**, in Contra Costa County.

\_\_\_\_\_  
**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: April 12, 2016

David J. Twa,

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: April 12, 2016

Subject: Resolution recognizing Day for National Service

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Lauri Byers (925)  
957-8860

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.

2016/143

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

**In the matter of:  
honoring Recognition Day for National Service.**

**Resolution No. 2016/143**

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's counties are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our communities, from educating students for the jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 50,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with county officials and mayors nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, National Association of Counties, Cities of Service, and mayors and county officials across the country for the Mayor and County Recognition Day for National Service on April 5, 2016.

Now, Therefore, Be It Resolved that the Contra Costa County Board of Supervisors does hereby proclaim April 5, 2016 as National Service Recognition Day, in Contra Costa County, and encourage residents to recognize the positive impact of national service in our County, and to thank those who serve and find ways to give back to their communities.

\_\_\_\_\_  
**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: April 12, 2016

David J. Twa,

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Federal D. Glover, District V Supervisor  
Date: April 12, 2016

Subject: Declaring April as Alcohol Awareness Month

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**RECOMMENDATION(S):**

PRESENTATION recognizing April as Alcohol Awareness Month in Contra Costa County, as recommended by Supervisor Glover. (Isabelle Kirske)

**BACKGROUND:**

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **04/12/2016**  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: April 12, 2016

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

Contact: Ed Diokno,  
925-427-8138

By: , Deputy

cc:

BACKGROUND: (CONT'D)

For the past several years, April has been declared Alcohol Awareness Month. At the Request of the members of Friday Night Live, a youth program managed by the Center of Human Development, and in coordination and recommendation of the Alcohol and Other Drugs Commission of the Health Services Department a new product has entered the marketplace - powdered alcohol - which is not covered in any of our ordinances limiting or restricting the sale of said product to minors, they wanted to use April (as Alcohol Awareness Month) to bring attention of this new product and similar products, especially those marketed towards young people.

CONSEQUENCE OF NEGATIVE ACTION:

It will allow and encourage marketers of alcohol products to continue targeting young people who are too young to purchase or imbibe alcoholic products legally. Young people who fall for the marketing may become addicted to alcohol products and become victims of alcohol abuse to the detriment of their lives and the Contra Costa community.

CHILDREN'S IMPACT STATEMENT:

It will help young people become more aware of the predatory marketing strategies aimed at their age group; prevent them from going down the dangerous path which may lead to abuse of alcohol; encourage young people to participate in the democratic process in making policies that affect the lives of their communities and their peers.

ATTACHMENTS

Resolution No. 2016/150

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

In the matter of:

**Resolution No. 2016/150**

**Declaring April as Alcohol Awareness Month.**

WHEREAS, it takes a community approach to change the norms surrounding underage drinking and to reduce the access points to alcohol for our young people; and

WHEREAS, alcohol is a primary factor in the four leading causes of death for young people ages 10-21; and

WHEREAS, people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21; and

WHEREAS, each year, nearly 2000 persons who are under 21 die in motor vehicle crashes that involve underage drinking; and

WHEREAS, the County of Contra Costa acknowledges that the epidemic of underage drinking kills more youth than all other drugs combined; and

WHEREAS, alcohol is the number one drug of choice among America's youth. In fact, the results from the 2011-2013 California Healthy Kids Survey indicate that 1 in 5 11th grade students in California drink 5 or more alcoholic drinks in a row per month; and

WHEREAS, the alcohol industry overexposes young people to harmful advertising, encouraging alcohol consumption through unfettered promotion of products specifically appealing to youth such as soda-like popular beverages available at corner stores, and the newly introduced "Palcohol" or powdered alcohol; and

WHEREAS, alcopops for the purposes of this resolution are defined as youth oriented flavored malt beverages in single-serving containers as described under 27 C.F.R. § 25.55). Alcopops are the equivalent of 3-5 beers with as much as 12% alcohol in 24 ounces and are packaged in bottles or cans that are very colorful; and

WHEREAS, a plethora of youth-oriented flavored malt beverages, also known as alcopops, already exist on the market, available wherever beer is sold, and they are sweet, bubbly, colorful, much like Arizona tea containers, high alcohol content drinks that are often the first drink consumed by underage youth; and

WHEREAS, powdered alcohol also has a very high potential to attract youth with its convenience, fruity flavors and portability; and

WHEREAS, powdered alcohol could be readily used to spike other alcoholic beverages making them more dangerous for youth consumption, or added to sodas, energy drinks, juices or punch very easily, much more easily than adding liquid alcohol; and

WHEREAS, the Friday Night Live Program and the Office of Education work with the community, including students, parents, educators, local merchants, Contra Costa County, and local law enforcement to create an environment that decreases youth access to alcohol and changes the community norms in regard to underage drinking.

Now, Therefore, Be It Resolved that the Contra Costa County Board of Supervisors proclaim April as Alcohol Awareness Month in Contra Costa County.

\_\_\_\_\_  
**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

ATTESTED: April 12, 2016

David J. Twa,

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: April 12, 2016

Subject: Resolution recognizing Ed and Kathy Chiverton for their years of community service

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Lauri Byers (925)  
957-8860

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.

2016/158

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

**In the matter of:**  
**recognizing Ed and Kathy Chiverton for their many years of community service.**

**Resolution No. 2016/158**

**Whereas**, Kathy Chiverton has an extensive history of community involvement, currently she is the Executive Director of the Discovery Counseling Center, she has served as Chief of Staff to two Contra Costa County Supervisors and was Executive Director of the San Ramon Valley YMCA; and

**Whereas**, Kathy's volunteer work is extensive and includes co-chairing school bond measures, serving on education foundations, Rotary, and working with the San Ramon Valley School District to address youth development and safety issues; and

**Whereas**, Ed's career brought him and his family to Alamo in 1991, his interest in serving the educational community has benefitted the community enormously; and

**Whereas**, Ed has served on the San Ramon Valley Unified School District Facility Bond Oversight Committee, the Board of Directors of the San Ramon Valley Education Foundation, and has served in many roles over his 6-year term on the Foundation; he continues to support both the Foundation and the District by focusing on the development of new, self-sustaining programs that support the mission of both organizations; and

**Whereas**, Kathy and Ed have three children who have benefitted from the excellent education provided them, and the hard work and dedication of their parents.

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County does hereby honor Ed and Kathy Chiverton for their many years of dedication to the community.

\_\_\_\_\_  
**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: April 12, 2016

David J. Twa,

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: April 12, 2016

Subject: Resolution recognizing Judy Dinkle as the Moraga Citizen of the Year

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Lauri Byers (925)  
957-8860

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.  
2016/164

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

**In the matter of:**  
**recognizing Judy Dinkle as the Moraga Citizen of the Year.**

**Resolution No. 2016/164**

**Whereas**, Judy Dinkle moved to San Francisco in 1976, then to Moraga in 1981 where she has lived, worked and volunteered continuously for the last 35 years; and

**Whereas**, Judy began her own kitchen and bathroom remodeling and design business in Moraga and has been a successful Moraga entrepreneur for 35 years; and

**Whereas**, during that time she has also found time to devote to numerous charitable and community service organizations; after her daughter graduated from Campolindo High School, Judy began to devote even more time to Moraga community service and in 2001 was appointed to the Board of the Moraga Park Foundation where she has been a member continuously and has served as President twice; and

**Whereas**, in 2005, Judy was one of several people appointed by the Town Council to the ad hoc “Hacienda Committee” whose charge was to evaluate what could be done to improve the utilization and financial viability of the Hacienda; and

**Whereas**, Judy continues to live, work and volunteer for a number of organizations in Moraga, constantly giving of her time and service.

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County does hereby honor Judy Dinkle for her dedication to the community of Moraga.

\_\_\_\_\_  
**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: April 12, 2016

David J. Twa,

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



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: April 12, 2016

Subject: ADOPTION OF ORDINANCE 2016-09 TO UPDATE JOB CLASSES THAT ARE EXEMPT FROM MERIT SYSTEM

---

**RECOMMENDATION(S):**

ADOPT Ordinance No. 2016-09 amending the County Ordinance Code to remove the exempt classifications of Alcohol and Other Drugs Services Director-Exempt, Deputy Director/Chief Information Security Officer, and Deputy Chief Information Officer-Geographic Information System from the list of classifications excluded from the Merit System and reorder the classifications in section 33-5.313.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

Attached is Ordinance No. 2016-09 amending Sections 33-5.313 and 33-5.359 of the Contra Costa County Ordinance Code to remove the exempt classifications of Alcohol and Other Drugs Services Director-Exempt, Deputy Director/Chief Information Security Officer, and Deputy Chief Information Officer-Geographic Information System from the list of classifications excluded from the Merit System. Due to the large number of classifications that are exempt in Section 33-5.313, we also reordered the remaining classifications into categories for ease of future reference and revision.

Adoption of the ordinance will bring the County Ordinance Code up to date with actions previously taken by the Board of Supervisors to abolish the three subject job classifications. For reference, Position Adjustment Resolution 21662, adopted June 9, 2015, abolished the class of Alcohol and Other Drugs Services Director-Exempt; and

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Julie DiMaggio Enea  
(925) 335-1077

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

By: , Deputy

cc: Human Resources Dept

BACKGROUND: (CONT'D)

Position Adjustment Resolution 21817, adopted February 9, 2016, abolished the classes of Deputy Director/Chief Information Security Officer and Deputy Chief Information Officer-Geographic Information System.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the ordinance code will not be current and will reference job classes that have been abolished.

ATTACHMENTS

Ordinance No. 2016-09 - Exempt Job Classes

**ORDINANCE NO. 2016-09**

**(Remove the Exempt Classifications of Alcohol and Other Drug Services Director-Exempt, Deputy Director/Chief Information Security Officer, and Deputy Chief Information Officer- Geographic Information System from the List of Classifications Excluded from the Merit System and Reorder and Renumber Section 33-5.313)**

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

**SECTION I:** Section 33-5.313 of the County Ordinance Code is amended to remove the classification of Alcohol and Other Drug Services Director-Exempt from the list of classifications excluded from the merit system and renumber and group the remaining classifications into categories as follows:

33-5.313 - Health-medical.

- (a) Classifications appointed by the Board of Supervisors
  - (1) The director of health services is excluded and is appointed by the board.
  - (2) The county health officer (Health and Safety Code Section 454) is excluded and is appointed by the board.
  - (3) The county physician (Health and Safety Code Section 1441) is excluded and is appointed by the board.
  - (4) The county (local) director of mental health services (Welfare and Institutions Code Section 5607, 9 Cal. Admin. Code Sections 620, 621 [Dir. of Local Mental Health Services]) is excluded and is appointed by the board.
  - (5) The medical director is excluded and is appointed by the board upon the recommendation of the director of health services and the county administrator.
  
- (b) General Executive and Administrative classifications
  - (1) The assistant to the health services director-exempt is excluded and is appointed by the director of health services.
  - (2) The assistant directors of health services are excluded and are appointed by the director of health services.
  - (3) The health services administrative officer is excluded and is appointed by the director of health services.
  - (4) The health services personnel officer-exempt is excluded and is appointed by the director of health services.
  - (5) The chief operations officer-exempt is excluded and is appointed by the director of health services.
  - (6) The emergency medical services director-exempt is excluded and is appointed by the director of health services.
  
- (c) County Hospital and Clinics classifications
  - (1) The Contra Costa Regional Medical Center chief executive officer-exempt is excluded and is appointed by the director of health services.
  - (2) The chief medical officer-exempt is excluded and is appointed by

the director of health services.

(3) The residency director-exempt is excluded and is appointed by the director of health services.

(4) The ambulatory care chief executive officer-exempt is excluded and is appointed by the director of health services.

(5) The chief quality officer-exempt is excluded and is appointed by the director of health services.

(6) The director of patient financial services is excluded and is appointed by the director of health services.

(7) The chief nursing officer-exempt is excluded and is appointed by the director of health services.

(8) Physicians and dentists serving the county (except those in the classifications of assistant health officer, and chief of community health services) are excluded and are appointed by the director of health services.

(d) Contra Costa Health Plan (CCHP) classifications

(1) The chief executive officer, Contra Costa Health Plan-exempt is excluded and is appointed by the director of health services.

(2) The deputy executive director, Contra Costa Health Plan-exempt is excluded and is appointed by the director of health services.

(3) The Contra Costa Health Plan medical director is excluded and is appointed by the director of health services.

(4) The director of marketing, member services, and public relations-Contra Costa Health Plan is excluded and is appointed by the director of health services.

(5) The health plan services assistant-exempt is excluded and is appointed by the director of health services.

(e) Information Technology classifications

(1) The health services information technology director-exempt is excluded and is appointed by the director of health services.

(2) The assistant health services information technology director-project management-exempt is excluded and is appointed by the director of health services.

(3) The assistant health services information technology director-application development-exempt is excluded and is appointed by the director of health services.

(4) The assistant health services information technology director-customer support-exempt is excluded and is appointed by the director of health services.

(5) The assistant health services information technology director-infrastructure-exempt is excluded and is appointed by the director of health services.

(6) The assistant health services information technology director-information security-exempt is excluded and is appointed by the director of health services.

(f) Environmental & Mental Health classifications



**SECTION III: EFFECTIVE DATE.** This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once with the names of the supervisors voting for and against it in the \_\_\_\_\_, a newspaper published in this County.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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

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

\_\_\_\_\_ Board Chair

[SEAL]

H:\Human Resources\Ordinance Code Changes\Ord re IT & Health excluded classes cleanup.doc



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: April 12, 2016

Subject: Declare a Vacancy on the Contra Costa County Historical Landmarks Advisory Committee

---

**RECOMMENDATION(S):**

DECLARE vacant Contra Costa County Historical Society #3 seat previously held by Webb Johnson, due to the relocation of his residence outside of the County’s jurisdictional boundaries, and DIRECT the Clerk of the Board to post the vacancy.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

At the February 11, 2016, meeting of the Historical Landmarks Advisory Committee, Mr. Johnson announced his resignation from his position due to his relocation of residence outside of the County’s jurisdictional boundaries.

**CONSEQUENCE OF NEGATIVE ACTION:**

The seat must first be declared vacant before it may be filled.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Christine Louie, (925)  
674-7787

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

By: , Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Federal D. Glover, District V Supervisor  
Date: April 12, 2016

Subject: Appoint Walter Fields to the Contra Costa Fire Protection District Advisory Commission

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**RECOMMENDATION(S):**

APPOINT the following individual to the District V Representative Alternate Seat of the Contra Costa Fire Protection District Advisory Commission with a term to expire September 2018, as recommended by Supervisor Federal D. Glover:

Walter Fields  
Oakley, CA 94561

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Contra Costa Fire Protection District Advisory Commission responsibility is to review and advise on annual operations and capital budgets; to review district expenditures; to review and advise on long-range capital improvement plans; pursuant to district ordinance to serve as the Appeals Board on weed abatement matters; to advise the Fire Chief on district service matters; to meet jointly with the Board of Supervisors and provide advice to the board as needed; to communicate with the other fire district advisory commissions on services and functional integration; to assist in the Fire Chief's selection process as required; to serve as liaison between the Board of Supervisors and the community served by each district; to perform such other duties and responsibilities as may be assigned and as directed by the Board of Supervisors.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Vincent Manuel (925)  
427-8138

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The seat would remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.



Contra  
Costa  
County

To: Board of Supervisors  
From: Federal D. Glover, District V Supervisor  
Date: April 12, 2016

Subject: Reappointment to the Western Contra Costa County Transit Authority Board

---

**RECOMMENDATION(S):**

RE-APPOINT the following individuals to the Western Contra Costa Transit Authority Board of Directors for a new term expiring December 31, 2018, as recommended by Supervisor Federal D. Glover:

Rodeo Member Seat  
Aleida Andrino-Chavez  
Rodeo, CA 94572

San Pablo Member Seat  
Dr. Maureen Powers  
San Pablo, CA 94806

Crockett Member Seat  
Thomas Hansen  
Crockett, CA 94525

**FISCAL IMPACT:**

None.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Vincent Manuel (925)  
427-8138

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

By: , Deputy

cc:

**BACKGROUND:**

Members Andiron-Chavez, Powers, and Hansen have continued an excellent job of representing their communities on the Contra Costa County Board of Directors and Supervisor Federal D. Glover would like to reappoint them for another term. The new two year term would expire December 31, 2018. The purpose of the Western Contra Costa Transit Authority is to own, operate and maintain a public transit system in an effort to meet public transportation needs in Western Contra Costa County.

**CONSEQUENCE OF NEGATIVE ACTION:**

Positions would remain vacant.

**CHILDREN'S IMPACT STATEMENT:**

None.



Contra  
Costa  
County

To: Board of Supervisors  
From: Federal D. Glover, District V Supervisor  
Date: April 12, 2016

Subject: Accept Resignation of Peggy Black from the Mental Health Commission

---

**RECOMMENDATION(S):**

ACCEPT the resignation of Peggy Black, DECLARE a vacancy in the District V Family Member Seat on the Mental Health Commission, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Federal D. Glover.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The function of the Mental Health Commission is to review and evaluate the community's mental health needs, services, facilities, and special problems; to review any County agreements entered into pursuant to Section 5650 of the Welfare and Institutions Code; to advise the governing body and local mental health director as to any aspect of the local mental health program; and to submit an annual report to the Board of Supervisors.

**CONSEQUENCE OF NEGATIVE ACTION:**

The position would remain vacant.

**CHILDREN'S IMPACT STATEMENT:**

None.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Vincent Manuel (925)  
427-8138

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

By: , Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Federal D. Glover, District V Supervisor  
Date: April 12, 2016

Subject: ACCEPT Resignation of Doug Stewart from the Contra Costa County Planning Commission

---

**RECOMMENDATION(S):**

ACCEPT the resignation of Doug Stewart, DECLARE a vacancy in the District V Member Seat on the Contra Costa County Planning Commission, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Federal D. Glover.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Contra Costa County Planning Commission's powers and duties include: 1. Exercise all powers and duties prescribed by law (statute, ordinance or board order), including consideration of matters referred to it by the zoning administrator except those powers and duties specifically reserved or delegated to other divisions of the planning agency; 2. Initiate preparation of general plans, specific plans, regulations, programs and legislation to implement the planning power of the county; 3. Be generally responsible for advising the legislative body of matters relating to planning, which, in the opinion of the commission, should be studied; 4. Be the advisory agency as designated in Title 9 of this code for the purpose of passing on subdivisions; 5. Hear and decide all applications or requests for proposed entitlements estimated to generate one hundred or more peak hour trips unless otherwise provided by this code or board order; and 6. Hear and make recommendations regarding proposed development agreements when it is hearing the related project applications being processed concurrently with the development agreements.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Vincent Manuel (925)  
427-8138

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Position would remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Medical Staff Appointments and Reappointments – March 2016

---

**RECOMMENDATION(S):**

Approve the medical staff appointments and reappointments, additional privileges, medical staff advancement, voluntary resignations and internal medicine privilege form, as recommend by the Medical Staff Executive Committee, at the March 21, 2016 meeting, and by the Health Services Director.

**FISCAL IMPACT:**

Not applicable.

**BACKGROUND:**

The Joint Commission on Accreditation of Healthcare Organizations has requested that evidence of Board of Supervisors approval for each Medical Staff member will be placed in his or her Credentials File. Any privilege change needs to be approved by Board of Supervisors to implement them on privilege form packets. The above recommendations for appointment/reappointment were reviewed by the Credentials Committee and approved by the Medical Executive Committee.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Anna Roth,  
370-5101

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

By: , Deputy

cc: T Scott, M Wihelm, Sana Salman

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Contra Costa Regional Medical and Contra Costa Health Centers' medical staff would not be appropriately credentialed and not be in compliance with the Joint Commission on Accreditation of Healthcare Organizations.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

March List

IM privilege

**A. New Medical Staff Members**

Carl Gold, MD Internal Medicine  
Benjamin Graham, MD Hospitalist

**B. New Teleradiologist Staff Members**

Michelle Goni, MD  
Richard Hollis, DO  
Kristen Menn, MD

**C. Application for Affiliates**

Tamra Groode, FNP Pediatrics

**D. Request for Additional Privileges**

Megan Baker, MD	Psychiatry/Psychology	Psychiatry
Christina Hamilton, MD	OB/GYN	Family Medicine
Takenori Watanabe, MD	Family Medicine	HIV Specialist

**F. Advance to Non-Provisional**

Abid Ahmed, MD	Hospitalist	A
Nicole Baltrushes, MD	Hospitalist	A
Kenneth Etefia, MD	Psychiatry/Psychology	A
Deidra Francis, FNP	Family Medicine	Aff
John Hartmann, MD	Psychiatry/Psychology	C
Nicole Hickey, MD	Internal Medicine	A
Micah Hoffman, MD	Psychiatry/Psychology	C
Peter Huang, MD	Psychiatry/Psychology	C
Deepak Kumar, MD	Psychiatry/Psychology	C
Brian Laing, MD	Family Medicine	A
Flynne Lewis, MD	Pediatrics	A
Mridula Rewal, MD	Hospitalist	A
Michael Rogers, MD	Psychiatry/Psychology	C
Linda Tran, DO	Pediatrics	C
Arshya Vahabzadeh, MD	Psychiatry/Psychology	C

**G. Biennial Reappointments**

Abid Hassan Ahmed, MD	Hospitalist	P
Andrea Bates, MD	Psychiatry/Psychology	C
Charles Berletti, MD	OB/GYN	C
John Betjemann, MD	Internal Medicine	C
David Carey, MD	Family Medicine	A
Annie Cherayil, MD	Family Medicine	A
Vanja Douglas, MD	Internal Medicine	C
Alexandra Duque-Silva, MD	Pediatrics	A
Nancy Ebbert, MD	Psychiatry/Psychology	A
Doris Galina Quintero, MD	Internal Medicine	C
Katharine Goheen, MD	Family Medicine	A

George Hamilton, MD	Psychiatry/Psychology	A
Brian Hathcoat, DDS	Dental	A
Margaret Jett, DO	Pediatrics	A
Anthony Kim, MD	Internal Medicine	C
Ben Kim, DDS	Dental	A
George Lee, MD	Anesthesia	A
Matthew Littlefield, MD	Psychiatry/Psychology	A
Richard McIlroy, III, MD	Family Medicine	A
Ruxandra Radu-Radulescu, MD	OB/GYN	A
Saunaz Sarvi, DDS	Dental	A
Sonika Shah, MD	Internal Medicine	A
Chiyo Shidara, DDS	Dental	A
Zita Shiue, MD	Internal Medicine	C
Tanuj Sidartha, MD	Psychiatry/Psychology	P
Daniel Sobel, MD	Emergency Medicine	A
Jennifer Stanger, MD	Hospitalist	A
Erin Stratta, MD	Emergency Medicine	A
Keith White, MD	Pediatrics	A

**H. Biennial Renew of Privileges**

Maura Daly, LM	OB/GYN
Anita Ko, OD	Surgery
Jessica Oqvist, LM	OB/GYN
Sharman Wong, OD	Surgery
Sonya WYROBECK, CNM	OB/GYN

**J. Voluntary Resignations**

Joan Gerbasi, MD	Psychiatry/Psychology
Akindele Kolade, MD	Psychiatry/Psychology
Ayonija Maheshwari, MD	Anesthesia
Rebecca Menashe, CNM	OB/GYN
Srikanth Reddy, MD	Internal Medicine
Summer Savon, PhD	Psychiatry/Psychology
Barbara Swarzenski, MD	Psychiatry/Psychology

## New Privilege Proposal for Internal Medicine

		Internal Medicine							
ANE	ANE 3	<b>Moderate (Conscious) Sedation*</b> Does <b>NOT</b> include use of ketamine or propofol	D	CA Lic.	N/A	N/A			
CC			C	CA Lic. <u>If performed outside of Hospital:</u>	10	1 case in last 2 Yrs.			
DEN			U	Airway Management Skills (ANE11 or Inservice)	15	5 cases in last 2 Yrs.			
DIA									
EME									
FAM									
GER									
HOSP									
IM									
OBG									
PED									
SGN									



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: April 12, 2016

Subject: APPOINT Amin Bhupen to the Private/Non-Profit Alternate Seat of the Economic Opportunity Council

---

**RECOMMENDATION(S):**

APPOINT Amin Bhupen to Private / Non-profit Alternate Seat on the Economic Opportunity Council, with a term ending on June 30, 2019, as recommended by the Employment and Human Services Director.

**FISCAL IMPACT:**

None

**BACKGROUND:**

Mr. Bhupen is hereby appointed to the Private / Non-profit Alternate Seat with a term end of June 30, 2019. He lives in Walnut Creek, CA 94598. The Economic Opportunity Council approved Mr. Bhupen's application on March 10, 2016.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Economic Opportunity Council will be unable have a quorum to conduct routine business.

**CHILDREN'S IMPACT STATEMENT:**

None

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: 04/12/2016  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: April 12, 2016

Contact: CSB (925)  
681-6304

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

By: , Deputy

cc: Nancy Sparks, Christina Reich, Cassandra Youngblood



Contra  
Costa  
County

To: Board of Supervisors  
From: Robin Lipetzky, Public Defender  
Date: April 12, 2016

Subject: Juvenile Reentry Legal Fellowship (NJDC Grant)

---

**RECOMMENDATION(S):**

Public Defender's Office (0243): APPROVE Appropriations and Revenue Adjustment No. 5058 authorizing new revenue in the amount of \$37,119 from the National Juvenile Defender Center, and appropriating it for contracted temporary help for the pilot Juvenile Post Disposition Reentry Legal Fellowship program in the Office of the Public Defender.

**FISCAL IMPACT:**

This grant will provide \$37,119 for salary reimbursement for an initial seven (7) month pilot fellowship program, with the potential for renewal for an additional year. A local direct funding match of \$7,885 is required, which will be provided by reallocation of expenditure appropriations from expert witnesses (Non-County Professional Services). There is no increase in Net County Cost.

**BACKGROUND:**

At its meeting on February 9, 2016, the Board of Supervisors authorized the Public Defender to submit a grant application and execute an agreement with the National Juvenile

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Richard Loomis,  
925-335-8093

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Defender Center (NJDC) to host a pilot Juvenile Post Disposition Reentry Legal Fellowship program.

The goal of this initiative is to support the success of justice-involved youth returning to their community by removing legal barriers to education, employment and housing. In this program, the NJDC provides funding for the Legal Fellow (attorney) salary, training and travel expenses, and the host organizations provide funding for fringe benefits, malpractice insurance, appropriate workspace and supplies.

CONSEQUENCE OF NEGATIVE ACTION:

If the new revenue and appropriations are not authorized and approved, the Public Defender's Office will not have access to the additional help needed to address the legal representation needs of its Juvenile clients.

CHILDREN'S IMPACT STATEMENT:

The Fellowship program funded by this grant is designed to provide legal services to address barriers in employment and education that youthful offenders face in community reintegration following a juvenile delinquency placement or commitment. The ultimate measure of success of this pilot program will be an increase in employment and education participation of post-disposition juvenile offenders in Contra Costa County.

ATTACHMENTS

Appropriation and Revenue Adjustment No. 5058

**CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT/  
ALLOCATION ADJUSTMENT  
T/C-27**

**AUDITOR-CONTROLLER USE ONLY:**  
FINAL APPROVAL NEEDED BY:  
 BOARD OF SUPERVISORS  
 COUNTY ADMINISTRATOR  
 AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: 0243 PUBLIC DEFENDER		
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE
2917	2314	CONTRACTED TEMPORARY HELP		45,004.00
2909	2310	NON-COUNTY PROFESSIONAL SERVICES	7,885.00	
			7,885.00	45,004.00

<p align="center"><b>APPROVED</b></p> <p>AUDITOR – CONTROLLER          By: <u>[Signature]</u> Date <u>3/24/16</u></p> <p>COUNTY ADMINISTRATOR          By: <u>[Signature]</u> Date <u>3/28/16</u></p> <p>BOARD OF SUPERVISORS          YES:          NO:</p> <p>By: _____ Date _____</p>	<p><b>EXPLANATION OF REQUEST</b></p> <p>Increase Contracted Temporary Help expenditure appropriations to hire one (1) Consulting Attorney for implementation of a Juvenile Post Disposition Reentry Legal Fellowship, as authorized by BOS Agenda Item #C.41 on 02/09/2016.</p> <p>PREPARED BY: <u>Richard Loomis</u>          TITLE: <u>ASA-II</u>          DATE: <u>2/9/2016</u></p> <p align="right">APPROPRIATION <u>APOO 5058</u>          ADJ. JOURNAL NO.</p>
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**CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT/  
ALLOCATION ADJUSTMENT  
TC/24**

<b>AUDITOR-CONTROLLER USE ONLY:</b>	
FINAL APPROVAL NEEDED BY:	
<input checked="" type="checkbox"/>	BOARD OF SUPERVISORS
<input type="checkbox"/>	COUNTY ADMINISTRATOR
<input type="checkbox"/>	AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: 0243 PUBLIC DEFENDER		
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
2917	9966	MISCELLANEOUS GRANTS & DONATIONS	37,119.00	
<b>TOTALS</b>			<b>37,119.00</b>	<b>0.00</b>

**APPROVED**

AUDITOR – CONTROLLER  
 By:  Date 3/24/16

COUNTY ADMINISTRATOR  
 By:  Date 3/28/16

BOARD OF SUPERVISORS

YES:

NO:

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

**EXPLANATION OF REQUEST**

Grant Awarded by the National Juvenile Defender Center (\$37,119) for implementation of a Juvenile Post Disposition Reentry Legal Fellowship, as authorized by BOS Agenda Item C.41 on 02/09/2016.

PREPARED BY: Richard Loomis  
 TITLE: ASA-II  
 DATE: 2/9/2016

REVENUE ADJ. JOURNAL NO. RAOO 5058



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: April 12, 2016

Subject: Appropriation Adjustment - Purchase Order Blackhawk Vehicle

---

**RECOMMENDATION(S):**

APPROVE Appropriation and Revenue Adjustment No. 5059 authorizing the transfer of appropriations in the amount of \$12,830 from the Traffic Safety Fund (0368) to CSA P-2 Zone A (7653) and authorizing additional revenue in the amount of \$25,842 from accumulated depreciation for the purchase of one non-ISF police patrol vehicle for use in the Blackhawk area.

**FISCAL IMPACT:**

This action increases appropriations in P2a Blackhawk (7653) and reduces appropriations in the Blackhawk Traffic Safety Fund (3682). No net county cost.

**BACKGROUND:**

The Office of the Sheriff, P-2A Zone, is in need of replacing one 2008 Ford Crown Victoria that has exceeded its useful life and is fully depreciated. The replacement vehicle will be purchased using the accumulated depreciation of \$25,842 and Blackhawk Traffic Safety Funds of \$12,830.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Liz  
Arbuckle, 925-335-1529

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

By: , Deputy

cc: Liz Arbuckle, Heike Anderson, Tim Ewell

BACKGROUND: (CONT'D)

The Traffic Safety Fund was established to be used for the deposit of all monies received as a result of arrests for vehicle code misdemeanor violations by a law enforcement agency. Expenditures made from this fund shall be made only for traffic-control devices and the maintenance thereof, equipment and supplies for traffic law enforcement and traffic accident prevention, and the maintenance, improvement or construction of public streets, bridges and culverts.

CONSEQUENCE OF NEGATIVE ACTION:

There will be insufficient appropriations available to facilitate the replacement of one patrol vehicle.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Appropriation and Revenue Adjustment No. 5059

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: Blackhawk (7653) Traffic Safety Fund (3682)			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
7653	4953	Autos & Trucks			38,672 00
3682	2479	Other Special Dpmtal Exp	12,830	00	
3682	5016	Transfers - Gov/Gov			12,830 00
TOTALS			12,830	00	51,502 00

APPROVED

AUDITOR-CONTROLLER:

BY: [Signature] DATE 3/24/16

COUNTY ADMINISTRATOR:

BY: [Signature] DATE 4/14/16

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST

To appropriate accumulated depreciation from Blackhawk (7653) and new revenue from Traffic Safety Fund (3682) to Blackhawk (7653 for the purchase of a Ford Police Interceptor SUV

[Signature] Fiscal Officer 3/22/2016  
 SIGNATURE TITLE DATE

APPROPRIATION APOO 5059  
 ADJ. JOURNAL NO.

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

ACCOUNT CODING		BUDGET UNIT: (7653) Blackhawk			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
7653	9956	Transfers - Gov/Gov	12,830	00	
7653	8982	Equip Replacement Release	25,842	00	
TOTALS			38,672	00	0 00

APPROVED

AUDITOR-CONTROLLER:  
BY:  DATE 3/24/16

COUNTY ADMINISTRATOR:  
BY:  DATE 4/4/16

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST

To appropriate accumulated depreciation from Blackhawk  
and new revenue from Traffic Safety Fund (3682) to Blackhawk (7653)  
for the purchase of a Ford Police Interceptor SUV



SIGNATURE      Fiscal Officer      TITLE      3/22/2016      DATE

REVENUE ADJ.      RAOO      5059

JOURNAL NO.



Contra  
Costa  
County

To: Board of Supervisors  
From: Robin Lipetzky, Public Defender  
Date: April 12, 2016

Subject: Proposition 47 Defense Outreach Program

---

**RECOMMENDATION(S):**

Public Defender's Office (0243): APPROVE Appropriations and Revenue Adjustment No. 5050 authorizing new revenue in the amount of \$72,585 from the San Francisco Foundation and the California Endowment, and appropriating it to fund salaries and benefits for three temporary clerical positions to implement the Proposition 47 Outreach Program in Office of the Public Defender. (100% Foundation revenue)

**FISCAL IMPACT:**

Grant revenues fully fund anticipated program expenditures, for a six (6) month period beginning February 2016. There is no increase to Net County Cost.

\$72,585 in new revenue from the San Francisco Foundation and the California Endowment  
\$72,585 appropriated for salaries and benefits

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Richard Loomis,  
925-335-8093

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

By: , Deputy

cc:

### BACKGROUND:

At its meeting on February 9, 2015, the Board of Supervisors authorized the Public Defender to apply and accept grants with the San Francisco Foundation and the California Endowment to fund a Proposition 47 Outreach Program. Proposition 47 legislation reclassifies some non-serious and non-violent property and drug crimes from felonies to misdemeanors; however, the provisions of this new law will sunset in November of 2017. The prescribed timeframe for offender relief constrain Defense Counsel to a limited period of time to identify, locate, and provide legal services to eligible defendants.

The Contra Costa County Public Defender's Office has become a statewide leader in Proposition 47 work, and in partnership with local community based organizations has secured sentence reductions for all known eligible felony probationers (more than 1,000 defendants) in the County. There are reclassification provisions in Proposition 47 allowing for the reduction of prior felony convictions retroactively, and it is estimated that between 10,000 to 15,000 convictions in County are eligible for reclassification. Given existing staffing, as little as 40% of the eligible cases can be processed prior to the November 2017 deadline.

Diligent solicitation of supplemental funding from non-profit foundations has resulted in the award of grant revenues to augment the public funding commitment to pursue this important work.

The Department will employ three (3) temporary clerical positions to work under the supervision of a Deputy Public Defender to accelerate the Proposition 47 activities already underway by permanent support staff. The job duties will include: client intake, review of closed cases, drafting and filing of petitions, preparing files for hearings, client communications and notifications and conducting outreach events.

As a condition of the grant awards, the California Endowment and the San Francisco Foundation require full indemnification by Contra Costa County.

### CONSEQUENCE OF NEGATIVE ACTION:

If the new revenue and appropriations are not authorized and approved, the Public Defender's Office will not have access to the additional staffing needed to provide legal services to eligible defendants within the prescribed timeframe.

### CHILDREN'S IMPACT STATEMENT:

None.

### ATTACHMENTS

Appropriation and Revenue Adjustment No. 5050

**CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT/  
ALLOCATION ADJUSTMENT  
TC/24**

<b>AUDITOR-CONTROLLER USE ONLY:</b>
FINAL APPROVAL NEEDED BY:
<input checked="" type="checkbox"/> BOARD OF SUPERVISORS
<input type="checkbox"/> COUNTY ADMINISTRATOR
<input type="checkbox"/> AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: 0243 : PUBLIC DEFENDER		
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
2909	9966	MISCELLANEOUS GRANTS & DONATIONS	47,585.00	
2909	9966	MISCELLANEOUS GRANTS & DONATIONS	25,000.00	
<b>TOTALS</b>			<b>72,585.00</b>	<b>0.00</b>

<p align="center"><b>APPROVED</b></p> <p>AUDITOR – CONTROLLER By: <u>[Signature]</u> Date <u>3/24/16</u></p> <p>COUNTY ADMINISTRATOR By: <u>[Signature]</u> Date <u>3/28/16</u></p> <p>BOARD OF SUPERVISORS</p> <p>YES:</p> <p>NO:</p> <p>By: _____ Date _____</p>	<p><b>EXPLANATION OF REQUEST</b></p> <p>1) Grant Awarded by the San Francisco Foundation (\$47,585) and 2) Grant Awarded by the California Endowment (\$25,000) for implementation of a Proposition-47 Outreach Program, as authorized by BOS Agenda Item #C.42 on 02/09/2016.</p> <p>PREPARED BY: <u>Richard Loomis</u> TITLE: <u>ASA-II</u> DATE: <u>2/9/2016</u></p> <p align="right">REVENUE ADJ. JOURNAL NO.      RAOO <u>5050</u></p>
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**CONTRA COSTA COUNTY  
 APPROPRIATION ADJUSTMENT/  
 ALLOCATION ADJUSTMENT  
 T/C-27**

<b>AUDITOR-CONTROLLER USE ONLY:</b>	
FINAL APPROVAL NEEDED BY:	
<input checked="" type="checkbox"/>	BOARD OF SUPERVISORS
<input type="checkbox"/>	COUNTY ADMINISTRATOR
<input type="checkbox"/>	AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: 0243 PUBLIC DEFENDER		
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE
2909	1013	TEMPORARY SALARIES		67,032.00
2909	1042	FICA / MEDICARE		5,553.00
			0.00	72,585.00

**APPROVED**

AUDITOR - CONTROLLER  
 By: *[Signature]* Date 3/24/16

COUNTY ADMINISTRATOR  
 By: *[Signature]* Date 3/28/16

BOARD OF SUPERVISORS  
 YES:  
 NO:

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

**EXPLANATION OF REQUEST**

Increase temporary salary and benefit expenditure appropriations to hire three (3) Seasonal Clerks for implementation of a Proposition-47 Outreach Program, as authorized by BOS Agenda Item #C.42 on 02/09/2016.

PREPARED BY: Richard Loomis  
 TITLE: ASA-II  
 DATE: 2/9/2016

APPROPRIATION APOO 5050  
 ADJ. JOURNAL NO.



Contra  
Costa  
County

To: Board of Supervisors  
From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE  
Date: April 12, 2016

Subject: Letter to the Contra Costa Transportation Authority Regarding Rotation of the Chair of the Board

---

**RECOMMENDATION(S):**

AUTHORIZE the Chair of the Board of Supervisors to sign a letter to the Contra Costa Transportation Authority requesting that the County be included in the annual rotation of the Chair and Vice Chair of the Board of the Authority.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Contra Costa Transportation Authority (Authority) is an agency formed by the Board of Supervisors under the Local Transportation Authority and Improvement Act of 1987 (Attachment 1). Contra Costa County, along with the nineteen cities, is a member agency of the Authority. The Authority manages the county's transportation sales tax program in addition to statutory, county congestion management obligations. The current transportation sales tax is Measure J (2004) which came in to effect in 2008 after the original county transportation sales tax, Measure C (1988), expired.

The current practice at the Authority relative to election of officers is to rotate the Chair and Vice Chair through all member agencies excepting the County. At the February 17th Authority Board meeting during the annual rotation of the Chair and Vice Chair, Supervisor Karen Mitchoff commented that the County wished to be included in the Officer rotation.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: John Cunningham (925)  
674-7833

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

By: , Deputy

cc:

## BACKGROUND: (CONT'D)

>

The issue was subsequently raised at the March 8th Board of Supervisors meeting during the Transportation Expenditure Plan discussion. The Transportation, Water, and Infrastructure Committee took the issue up at their March 10th meeting directing staff to bring the attached draft letter to the full Board of Supervisors for consideration.

Two documents potentially address the protocol by which the Authority selects officers, the aforementioned Local Transportation and Improvement Act of 1987 and the Authority's Administrative Code (See relevant section as Attachment 2, full document available here: <http://ccta.net/about/download/54ac708913f19.pdf>). Consistent with Supervisor Mitchoff's testimony at the February 17th Authority meeting, both documents appear to be silent on eligibility of members to serve in the Chair/Vice Chair capacity.

A draft letter (Attachment 3) is attached for consideration by the Board of Supervisors.

## CONSEQUENCE OF NEGATIVE ACTION:

If the subject letter is not sent, the Authority is unlikely to consider including the County in the Chair/Vice Chair rotation.

## ATTACHMENTS

Attachment 1 - Local Transportation Authority and Improvement Act of 1987.pdf

Attachment 2 - CCTA\_AdminCode Excerpts

Attachment 3 - BOS to CCTA Re Chair Rotation



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**PUBLIC UTILITIES CODE - PUC**

**DIVISION 19. LOCAL TRANSPORTATION AUTHORITIES [180000 - 180264]** (*Division 19 added by Stats. 1987, Ch. 786, Sec. 1.*)

**CHAPTER 1. General Provisions [180000 - 180003]** (*Chapter 1 added by Stats. 1987, Ch. 786, Sec. 1.*)

**180000.** This division shall be known and may be cited as the Local Transportation Authority and Improvement Act.

(*Added by Stats. 1987, Ch. 786, Sec. 1.*)

**180001.** The Legislature hereby finds and declares all of the following:

(a) Local highway and transportation improvements and services are an immediate high priority needed to resolve local and regional transportation problems that threaten the economic viability and development potential of counties and cities and adversely impact the quality of life therein. Furthermore, regional transportation is a matter of statewide concern.

(b) Comprehensive studies and reports have been completed by the Department of Transportation, the Assembly Office of Research, the Governor's Task Force on Infrastructure, and the California Business Roundtable which conclude that there exists a local city street and county road maintenance backlog and shortfall of between five hundred million dollars (\$500,000,000) and eight hundred forty million dollars (\$840,000,000) annually.

(c) In order to deal in an expeditious manner with current and future local transportation maintenance and improvement needs, local agencies need to develop and implement local funding programs that go significantly beyond current federal and state funding which is inadequate to resolve these problems.

(d) It is in the public interest to allow the voters of each county to establish local transportation authorities and raise additional local revenues to provide highway capital improvements and maintenance and to meet local transportation needs in a timely manner.

(e) It is the intent of the Legislature that funds generated pursuant to this division be used to supplement and not replace existing local revenues used for transportation purposes.

(*Added by Stats. 1987, Ch. 786, Sec. 1.*)

**180002.** "Authority" means a local transportation authority created or designated pursuant to this division.

(*Added by Stats. 1987, Ch. 786, Sec. 1.*)

**180003.** This division shall be liberally construed in order to effectuate its purposes. No inadvertent error, irregularity, informality, or the inadvertent neglect or omission of any officer, in any procedure taken under this division, other than fraud, shall void or invalidate that proceeding or any levy imposed to finance highway improvements or local transportation needs.

(*Added by Stats. 1987, Ch. 786, Sec. 1.*)



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**PUBLIC UTILITIES CODE - PUC**

**DIVISION 19. LOCAL TRANSPORTATION AUTHORITIES [180000 - 180264]** (*Division 19 added by Stats. 1987, Ch. 786, Sec. 1.*)

**CHAPTER 2. Creation of Local Transportation Authority [180050 - 180052]** (*Chapter 2 added by Stats. 1987, Ch. 786, Sec. 1.*)

**180050.** A county board of supervisors may create an authority to operate within the county to carry out this division, or may designate a transportation planning agency designated pursuant to Section 29532 of the Government Code or created pursuant to the Fresno County Transportation Improvement Act pursuant to Division 15 (commencing with Section 142000), or a county transportation commission created pursuant to the County Transportation Act (Division 12 (commencing with Section 130000)) in existence in the county on January 1, 1988, to serve as an authority.

*(Amended by Stats. 2000, Ch. 408, Sec. 1. Effective January 1, 2001.)*

**180051.** (a) A board of supervisors that chooses to create an entirely new entity as an authority pursuant to Section 180050 shall determine the membership of the authority with the concurrence of a majority of the cities having a majority of the population in the incorporated area of the county.

(b) Each member of the authority, and each alternate designated pursuant to subdivision (c), shall be an elected official of a local governmental entity within or partly within the county. Members of the board of supervisors serving on an authority shall comprise less than a majority of the authority.

(c) (1) Each member of the authority may have an alternate to vote or otherwise officially participate on behalf of the member at meetings of the authority when the member is not present. Either the member, or the alternate, but not both, may officially participate in a meeting of the authority. An alternate shall be designated as follows:

(A) Except as specified in subparagraph (B), the local governmental entity that appointed the member shall designate the alternate.

(B) A member who serves because the member holds a specified public office, as specified in the county transportation expenditure plan, shall designate his or her own alternate.

(2) An alternate acting on behalf of a member has all of the rights, privileges, and responsibilities of a member.

*(Amended by Stats. 1999, Ch. 1007, Sec. 10. Effective January 1, 2000.)*

**180052.** (a) Except as provided in subdivision (b), members of an authority which is an entirely new entity shall serve for a term of not more than four years.

(b) At the first meeting of an authority which is an entirely new entity convened pursuant to Section 180112 the members shall be selected by lot to serve staggered terms.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*



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**PUBLIC UTILITIES CODE - PUC**

**DIVISION 19. LOCAL TRANSPORTATION AUTHORITIES [180000 - 180264]** (*Division 19 added by Stats. 1987, Ch. 786, Sec. 1.*)

**CHAPTER 3. Administration [180100 - 180111]** (*Chapter 3 added by Stats. 1987, Ch. 786, Sec. 1.*)

**180100.** The authority at its first meeting, and thereafter annually at the meeting designated by the authority, shall elect a chairperson who shall preside at all meetings, and a vice chairperson who shall preside in the absence of the chairperson. In the event of their absence or inability to act, the members present, by an order entered in the minutes, shall select one of their members to act as chairperson pro tempore, who, while so acting, shall have all the authority of the chairperson.

*(Amended by Stats. 1988, Ch. 878, Sec. 4.)*

**180101.** The authority shall adopt rules for its proceedings consistent with the laws of the state.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180102.** A majority of the members of the authority constitutes a quorum for the transaction of business, and all official acts of the authority requires the affirmative vote of a majority of the members of the authority.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180103.** The acts of the authority shall be expressed by motion, resolution, or ordinance.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180104.** All meetings of the authority shall be conducted pursuant to Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180105.** The authority shall do all the following:

(a) Adopt an annual budget.

(b) Adopt an administrative code, by ordinance, which prescribes the powers and duties of the authority officers, the method of appointment of the authority employees, and methods, procedures, and systems of operation and management of the authority.

(c) Cause a postaudit of the financial transactions and records of the authority to be made at least annually by a certified public accountant.

(d) Do any and all things necessary to carry out the purposes of this division.

The authority may appoint a policy advisory committee.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180106.** (a) The authority may hire an independent staff of its own or contract with any department or agency of the United States or with any public agency to implement this division.

(b) The authority may contract with private entities in conformance with applicable procurement procedures for the procurement of engineering, project management, and contract management services.

*(Amended by Stats. 1989, Ch. 665, Sec. 1.)*

**180107.** The authority shall fix the compensation of its officers and employees.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180108.** (a) Notice of the time and place of a public hearing on the adoption of the annual budget shall be published pursuant to Section 6061 of the Government Code not later than the 15th day prior to the day of the hearing.

(b) The proposed annual budget shall be available for public inspection at least 15 days prior to the hearing.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180109.** (a) The authority shall rely, to the extent possible, on existing state, regional, and local transportation planning and programming data and expertise, rather than on a large duplicative staff and set of plans.

(b) The authority shall not expend more than 1 percent of the funds generated pursuant to this division in any year for salary and benefits of its staff.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180110.** The authority shall consult with, and coordinate its actions to secure funding for the completion and improvement of the priority regional highways, with the cities in the county, the board of supervisors, and the Department of Transportation, for the purpose of integrating its planned highway improvements with the highway and other transportation improvement plans and operations of other transportation agencies impacting the county.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180111.** The authority shall prepare and adopt an annual report each year on progress made to achieve the objective of improving transportation conditions related to priority highway operations and local transportation needs.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*



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**PUBLIC UTILITIES CODE - PUC**

**DIVISION 19. LOCAL TRANSPORTATION AUTHORITIES [180000 - 180264]** (*Division 19 added by Stats. 1987, Ch. 786, Sec. 1.*)

**CHAPTER 4. Powers and Functions [180150 - 180154]** (*Chapter 4 added by Stats. 1987, Ch. 786, Sec. 1.*)

**180150.** The authority may sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

(*Added by Stats. 1987, Ch. 786, Sec. 1.*)

**180151.** All claims for money or damages against the authority are governed by Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, except as provided therein, or by other statutes or regulations expressly applicable thereto.

(*Added by Stats. 1987, Ch. 786, Sec. 1.*)

**180152.** The authority may make contracts and enter into stipulations of any nature whatsoever, either in connection with eminent domain proceedings or otherwise, including, but not limited to, contracts and stipulations to indemnify and hold harmless, to employ labor, and to do all acts necessary and convenient for the full exercise of the powers granted in this division.

(*Added by Stats. 1987, Ch. 786, Sec. 1.*)

**180153.** The authority may contract with any department or agency of the United States, with any public agency, including, but not limited to, the Department of Transportation, any county, city, or district, or with any person or a private entity upon any terms and conditions that the authority finds in its best interest for the procurement of engineering, project management, and contract management services.

(*Amended by Stats. 1989, Ch. 665, Sec. 2.*)

**180154.** (a) Contracts for the purchase of services, supplies, equipment, and materials in excess of ten thousand dollars (\$10,000) shall be awarded to the lowest responsible bidder after competitive bidding, except in an emergency declared by the authority or by an executive committee to which the authority has delegated responsibility to make that declaration.

(b) If, after rejecting bids received under subdivision (a), the authority determines and declares that, in its opinion, the services, supplies, equipment, or materials may be purchased at a lower price on the open market, the authority may proceed to purchase these services, supplies, equipment, or materials in the open market without further observance of the provisions regarding contracts, bids, or advertisements.

(*Added by Stats. 1987, Ch. 786, Sec. 1.*)



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**PUBLIC UTILITIES CODE - PUC**

**DIVISION 19. LOCAL TRANSPORTATION AUTHORITIES [180000 - 180264]** (*Division 19 added by Stats. 1987, Ch. 786, Sec. 1.*)

**CHAPTER 5. Transactions and Use Taxes [180200 - 180207]** (*Chapter 5 added by Stats. 1987, Ch. 786, Sec. 1.*)

**180200.** The Legislature, by the enactment of this division, intends that the additional funds provided governmental agencies by this chapter shall supplement existing local revenues being used for public transportation purposes and that local governments maintain their existing commitment of local funds for transportation purposes.

The Legislature further intends that transportation authorities utilize "pay-as-you-go" financing as the preferred method of funding transportation improvements and operations authorized by Section 180205, and that bond financing be utilized as an alternative method of funding, where the scope of the planned expenditures makes "pay-as-you-go" financing unfeasible.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180201.** A retail transactions and use tax ordinance applicable in the incorporated and unincorporated territory of a county may be imposed by the authority in accordance with this chapter and Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, if the tax ordinance is adopted by a two-thirds vote of the authority and imposition of the tax is subsequently approved by a majority of the electors voting on the measure, or by any otherwise applicable voter approval requirement, at a special election called for that purpose by the board of supervisors, at the request of the authority, and a county transportation expenditure plan is adopted pursuant to Section 180206.

A retail transactions and use tax approved by the electors shall remain in effect for the period of time specified in the tax ordinance. The tax may be continued in effect, or reimposed, by a tax ordinance adopted by a two-thirds vote of the authority and the reimposition of the tax is approved by any applicable majority of the electors.

*(Amended by Stats. 2003, Ch. 129, Sec. 1. Effective January 1, 2004.)*

**180202.** The authority, in the ordinance, shall state the nature of the tax to be imposed, shall provide the tax rate or the maximum tax rate, shall specify the period during which the tax will be imposed, and shall specify the purposes for which the revenue derived from the tax will be used. The tax rate may be in 1/4 percent increments and shall not exceed a maximum tax rate of 1 percent.

The proposition shall include an appropriations limit for that entity pursuant to Section 4 of Article XIII B of the California Constitution.

*(Amended by Stats. 1990, Ch. 318, Sec. 1.)*

**180203.** (a) The county shall conduct the special election called by the board of supervisors pursuant to Section 180201. If the measure is approved, the authority shall reimburse the county for its cost in conducting the special election.

(b) The special election shall be called and conducted in the same manner as provided by law for the conduct of special elections by a county.

(c) The sample ballot to be mailed to the voters, pursuant to Section 13303 of the Elections Code, shall be the full proposition, as set forth in the ordinance calling the election, and the voter information handbook shall include the entire adopted county transportation expenditure plan.

*(Amended by Stats. 1994, Ch. 923, Sec. 215. Effective January 1, 1995.)*

**180204.** (a) Any transactions and use tax ordinance adopted pursuant to this chapter shall be operative on the first day of the first calendar quarter commencing more than 110 days after adoption of the ordinance.

(b) Prior to the operative date of the ordinance, the authority shall contract with the State Board of Equalization to perform all functions incidental to the administration and operation of the ordinance.

*(Amended by Stats. 2003, Ch. 129, Sec. 2. Effective January 1, 2004.)*

**180205.** The revenues from the taxes imposed pursuant to this chapter may be allocated by the authority for the construction and improvement of state highways, the construction, maintenance, improvement, and operation of local streets, roads, and highways, and the construction, improvement, and operation of public transit systems. For purposes of this section, "public transit systems" includes paratransit services.

*(Amended by Stats. 1988, Ch. 962, Sec. 5.)*

**180206.** (a) A county transportation expenditure plan shall be prepared for the expenditure of the revenues expected to be derived from the tax imposed pursuant to this chapter, together with other federal, state, and local funds expected to be available for transportation improvements, for the period during which the tax is to be imposed.

(b) A county transportation expenditure plan shall not be adopted until it has received the approval of the board of supervisors and of the city councils representing both a majority of the cities in the county and a majority of the population residing in the incorporated areas of the county.

(c) The plan shall be adopted prior to the call of the election provided for in Section 180201.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180207.** (a) The authority may annually review and propose amendments to the county transportation expenditure plan adopted pursuant to Section 180206 to provide for the use of additional federal, state, and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances.

(b) The authority shall notify the board of supervisors and the city council of each city in the county and provide them with a copy of the proposed amendments.

(c) The proposed amendments shall become effective 45 days after notice is given.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*



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**PUBLIC UTILITIES CODE - PUC**

**DIVISION 19. LOCAL TRANSPORTATION AUTHORITIES [180000 - 180264]** (*Division 19 added by Stats. 1987, Ch. 786, Sec. 1.*)

**CHAPTER 6. Bonds [180250 - 180264]** (*Chapter 6 added by Stats. 1987, Ch. 786, Sec. 1.*)

**180250.** (a) As part of the ballot proposition to approve the imposition of a retail transactions and use tax, authorization may be sought to issue bonds to finance capital outlay expenditures as may be provided for in the adopted county transportation expenditure plan, payable from the proceeds of the tax.

(b) The maximum bonded indebtedness which may be outstanding at any one time shall be an amount equal to the sum of the principal of, and interest on, the bonds, but not to exceed the estimated proceeds of the tax, as determined by the plan. The amount of bonds outstanding at any one time does not include the amount of bonds, refunding bonds, or bond anticipation notes for which funds necessary for the payment thereof have been set aside for that purpose in a trust or escrow account.

(*Added by Stats. 1987, Ch. 786, Sec. 1.*)

**180250.5.** Notwithstanding any other provision of law, if the imposition of a retail transactions and use tax, together with the establishment of an appropriations limit of seven hundred sixty-five million dollars (\$765,000,000), was approved by the voters of a county pursuant to Section 180250 on November 8, 1988, and if the ordinance adopted by the authority which requested the board of supervisors to submit the proposition for approval of that tax and appropriations limit by the voters authorized the issuance of bonds payable from that tax, that authority may issue bonds, refunding bonds, or bond anticipation notes pursuant to this chapter.

(*Added by Stats. 1989, Ch. 1232, Sec. 2. Effective October 1, 1989.*)

**180251.** (a) The bonds authorized by the voters concurrently with the approval of the retail transactions and use tax may be issued at any time by the authority and shall be payable from the proceeds of the tax. The bonds shall be referred to as "limited tax bonds." The bonds may be secured by a pledge of revenues from the proceeds of the tax.

(b) The pledge of the tax to the limited tax bonds authorized under this chapter shall have priority over the use of any of the tax for "pay-as-you-go" financing, except to the extent that that priority is expressly restricted in the resolution authorizing the issuance of the bonds.

(*Added by Stats. 1987, Ch. 786, Sec. 1.*)

**180252.** Limited tax bonds shall be issued pursuant to a resolution adopted at any time by a two-thirds vote of the authority. Each resolution shall provide for the issuance of bonds in the amounts as may be necessary, until the full amount of bonds authorized have been issued. The full amount of bonds may be divided into two or more series and different dates of payment fixed for the bonds of each series. A bond need not mature on its anniversary date.

(*Added by Stats. 1987, Ch. 786, Sec. 1.*)

**180253.** (a) A resolution authorizing the issuance of bonds shall state all of the following:

(1) The purposes for which the proposed debt is to be incurred, which may include all costs and estimated costs incidental to, or connected with, the accomplishment of those purposes, including, without limitation, engineering, inspection, legal, fiscal agents, financial consultant and other fees, bond and other reserve funds, working capital, bond interest estimated to accrue during the construction period and for a period not to exceed three years thereafter, and expenses of all proceedings for the authorization, issuance, and sale of the bonds.

- (2) The estimated cost of accomplishing those purposes.
  - (3) The amount of the principal of the indebtedness.
  - (4) The maximum term the bonds proposed to be issued shall run before maturity, which shall not be beyond the date of termination of the imposition of the retail transactions and use tax.
  - (5) The maximum rate of interest to be paid, which shall not exceed the maximum allowable by law.
  - (6) The denomination or denominations of the bonds, which shall not be less than five thousand dollars (\$5,000).
  - (7) The form of the bonds, including, without limitation, registered bonds and coupon bonds, to the extent permitted by federal law, and the form of any coupons to be attached thereto, the registration, conversion, and exchange privileges, if any, pertaining thereto, and the time when all of, or any part of, the principal becomes due and payable.
- (b) The resolution may also contain any other matters authorized by this chapter or any other law.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180254.** The bonds shall bear interest at a rate or rates not exceeding the maximum allowable by law, payable at intervals determined by the commission.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180255.** In the resolution authorizing the issuance of the bonds, the authority may also provide for the call and redemption of the bonds prior to maturity at the times and prices and upon other terms as specified. However, no bond is subject to call or redemption prior to maturity, unless it contains a recital to that effect or unless a statement to that effect is printed.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180256.** The principal of, and interest on, the bonds shall be payable in lawful money of the United States at the office of the treasurer of the authority, or at other places as may be designated, or at both the office and other places at the option of the holders of the bonds.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180257.** The bonds, or each series thereof, shall be dated and numbered consecutively and shall be signed by the chairperson or vice chairperson of the authority and the auditor-controller of the authority, and the official seal, if any, of the authority shall be attached.

The interest coupons of the bonds shall be signed by the auditor-controller of the authority. All of the signatures and seal may be printed, lithographed, or mechanically reproduced.

If any officer whose signature appears on the bonds or coupons ceases to be that officer before the delivery of the bonds, the officer's signature is as effective as if the officer had remained in office.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180258.** The bonds may be sold as the authority determines by resolution, and the bonds may be sold at a price below par, whether by negotiated or public sale.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180259.** Delivery of any bonds may be made at any place either inside or outside the state, and the purchase price may be received in cash or bank credits.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180260.** All accrued interest and premiums received on the sale of the bonds shall be placed in the fund to be used for the payment of the principal of, and interest on, the bonds, and the remainder of the proceeds of the bonds shall be placed in the treasury of the authority and applied to secure the bonds or for the purposes for which the debt was incurred. However, when the purposes have been accomplished, any money remaining shall be either (a) transferred to the fund to be used for the payment of principal of, and interest on, the bonds or (b) placed in a fund to be used for the purchase of the outstanding bonds in the open market at prices and in the manner, either at public or private sale or otherwise, as determined by the authority. Bonds so purchased shall be canceled immediately.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180261.** (a) The authority may provide for the issuance, sale, or exchange of refunding bonds to redeem or retire any bonds issued by the authority upon the terms, at the times and in the manner which it determines.

(b) Refunding bonds may be issued in a principal amount sufficient to pay all, or any part of, the principal of the outstanding bonds, the premiums, if any, due upon call and redemption thereof prior to maturity, all expenses of the refunding, and either of the following:

(1) The interest upon the refunding bonds from the date of sale thereof to the date of payment of the bonds to be refunded out of the proceeds of the sale of the refunding bonds or to the date upon which the bonds to be refunded will be paid pursuant to call or agreement with the holders of the bonds.

(2) The interest upon the bonds to be refunded from the date of sale of the refunding bonds to the date of payment of the bonds to be refunded or to the date upon which the bonds to be refunded will be paid pursuant to call or agreement with the holder of the bonds.

(c) The provisions of this chapter for the issuance and sale of bonds apply to the issuance and sale of refunding bonds.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180262.** (a) The authority may borrow money in anticipation of the sale of bonds which have been authorized pursuant to this chapter, but which have not been sold or delivered, and may issue negotiable bond anticipation notes therefor and may renew the bond anticipation notes from time to time. However, the maximum maturity of any bond anticipation notes, including the renewals thereof, shall not exceed five years from the date of delivery of the original bond anticipation notes.

(b) The bond anticipation notes, and the interest thereon, may be paid from any money of the authority available therefor, including the revenues from the tax. If not previously otherwise paid, the bond anticipation notes, or any portion thereof, or the interest thereon, shall be paid from the proceeds of the next sale of the bonds of the agency in anticipation of which the notes were issued.

(c) The bond anticipation notes shall not be issued in any amount in excess of the aggregate amount of the bonds which the authority has been authorized to issue, less the amount of any bonds of the authorized issue previously sold, and also less the amount of other bond anticipation notes therefor issued and then outstanding. The bond anticipation notes shall be issued and sold in the same manner as the bonds.

(d) The bond anticipation notes and the resolutions authorizing them may contain any provisions, conditions, or limitations which a resolution of the authority may contain.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180263.** Any bonds issued under this chapter are legal investment for all trust funds; for the funds of insurance companies, commercial and savings banks, and trust companies; and for state school funds; and whenever any money or funds may, by any law now or hereafter enacted, be invested in bonds of cities, counties, school districts, or other districts within the state, that money or funds may be invested in the bonds issued under this chapter, and whenever bonds of cities, counties, school districts, or other districts within the state may, by any law now or hereafter enacted, be used as security for the performance of any act or the deposit of any public money, the bonds issued under this chapter may be so used. The provisions of this chapter are in addition to all other laws relating to legal investments and shall be controlling as the latest expression of the Legislature with respect thereto.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

**180264.** Any action or proceedings wherein the validity of the adoption of the retail transactions and use tax ordinance provided for in this chapter or the issuance of any bonds thereunder or any of the proceedings in relation thereto is contested, questioned, or denied, shall be commenced within six months from the date of the election at which the ordinance is approved; otherwise, the bonds and all proceedings in relation thereto, including the adoption and approval of the ordinance, shall be held to be valid and in every respect legal and incontestable.

*(Added by Stats. 1987, Ch. 786, Sec. 1.)*

Attachment #2: Excerpts of CCTA Admin Code

**ADMINISTRATIVE CODE**

**OF THE**

**CONTRA COSTA TRANSPORTATION AUTHORITY**

**Ordinance #90-01**

Adopted: February 21, 1990

As amended through:

May 20, 2009

## **SUMMARY**

This ordinance prescribes rules for the proceedings of the Contra Costa Transportation Authority consistent with the laws of the State, as well as the powers and duties of officers and Board members, the method of their election or appointment and compensation and the methods, procedures and systems of operation and management of the Authority.

The Contra Costa Transportation Authority does ordain as follows:

**CONTRA COSTA TRANSPORTATION AUTHORITY**

**ADMINISTRATIVE CODE**

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## **ARTICLE IV**

### **OFFICERS AND DUTIES**

#### 104.1 In General.

(a) The Officers of the Authority shall consist of the Chair and a Vice Chair, each of whom shall be a Commissioner, an Executive Director and other such officers as the Board may appoint.

(b) Appointment of Chair and Vice Chair. The Board at its first meeting and annually thereafter, to be effective as of the first regular February Board meeting of each year, and at such other time as there may be a vacancy, shall elect a Chair who shall preside at all meetings and a Vice Chair who shall preside in his absence. The position of Chair shall be rotated annually and no person shall serve consecutive terms as Chair.

(c) Appointment of Executive Director and Other Officers. The Executive Director and such other officers as the Board may deem necessary, shall be appointed by the affirmative votes of a majority of the Commissioners.

(d) Removal of Officers and Employees. Officers may be removed by the affirmative vote of a majority of the Commissioners. Matters regarding the discharge of an employee shall be resolved by reference to the personnel policies set forth in the Personnel and Salary Manual and Procedures which are attached as Chapter 6 to this Code.

(e) Duties of Various Officers.

(1) Duties of Chair. The Chair shall, if present, preside at all meetings of the Board and shall exercise and perform such other powers and duties as may from time to time be assigned to him by the Board or prescribed herein.

(2) Duties of the Vice Chair. The Vice Chair shall perform the duties of the Chair in his absence and, when so acting, shall have all the powers of and be subject to all the restrictions upon the Chair, and shall exercise and perform such other powers and duties as may from time to time be assigned him by the Board.

(3) Chair Pro Tempore. In the event of the absence, or inability to act, of the Chair and Vice Chair, the Commissioners present at any meeting of the Board, by order entered in the minutes, shall select one of their members to act as Chair Pro Tempore, who, while so acting, shall have all of the authority of the Chair.

(4) Duties of Executive Director. The Executive Director shall be a full-time officer of the Authority. The powers and duties of the Executive Director are:

(A) To have full charge of the administration of the day-to-day business affairs of the Authority;

(B) To administer the personnel system of the Authority, including hiring, controlling, supervising, promoting, transferring, suspending with or without pay or discharging any employee in accordance with Chapter 6 attached hereto;

(C) Subject to any limitation and to the terms and conditions set forth in Chapter 5 hereto, to act as the purchasing agent for the Authority with powers to be exercised in the manner governing the exercise of the powers of the purchasing agent of the County;

(D) To keep the Board advised as to the needs and the status of operations of the Authority;

(E) To see that all rules, regulations, ordinances, policies, procedures and resolutions of the Authority are enforced;

(F) To execute and deliver contracts and agreements on behalf of the Authority following such approvals as may be required hereunder and to administer Authority contracts in accordance with and subject to the limitations set forth in Chapter 5 attached hereto;

(G) To authorize, approve and make expenditures in accordance with and subject to the limitations set forth in Chapters 2 and 3 hereof.

(H) To cause to be prepared and distributed the agenda for all Board meetings;

(I) To undertake such other duties, powers and responsibilities as may from time to time be assigned to him by the Board; and

(J) To accept and consent to deeds or grants conveying any interest in or easement upon real estate to the Authority pursuant to Government Code Section 27281 and to prepare and execute certificates of acceptances therefor from time to time as the Executive Director determines to be in furtherance of the purposes of the Authority. Such authority shall be limited to actions of a ministerial nature necessary to carry out conveyances authorized by the Board.

(K) Unless specifically delegated to an officer appointed by the Executive Director with the approval of the Board, to assume the responsibilities of a Secretary and Treasurer of the Authority. Until such time as the Board appoints a Secretary and/or Treasurer, any reference in this Code to such officer shall be deemed to be a reference to the Executive Director or his appointee.

104.2 Standing Board Committees. The Board may, as it deems appropriate, appoint Standing Board Committees consisting of three or more Commissioners, to accomplish the purposes set forth herein.

(a) Organization of Standing Board Committees. Standing Board Committees shall be organized and operate as follows:

(1) Each such Standing Board Committee shall by majority vote elect a chairman at its first meeting who shall serve at the pleasure of the Standing Board Committee. Except with respect to the Executive Committee, the Standing Board Committees shall establish a schedule of monthly regular meetings; special meetings of Standing Board Committees may be scheduled by the Executive Director or by the Committee Chair as needed.

(2) Any meeting of such a committee shall be deemed to be a meeting of the Authority for purposes of compensation of the members of such Standing Board Committee only. The number of Commissioners serving on each Standing Board Committee shall be fixed and may be changed from time to time by the Board.

(3) Except with respect to the Executive Committee, the Board shall appoint Commissioners to serve on each Standing Board Committee, as set forth below. To the extent possible, Standing Board Committee assignments shall reflect geographical balance. Committee members shall be appointed annually at the first regular Board meeting to be conducted in February of each calendar year.

(4) Committee members shall hold such positions for a period of one year or until their successors are duly appointed. Any member appointed to fill a vacancy on a Standing Board Committee whether caused by the resignation or removal of a member or by an increase in the number of members of such committee shall hold such position until the next regular first February Board meeting only.

(5) Upon the removal or resignation of a Commissioner, such Commissioner shall cease to be a committee member on any Standing Board Committee upon which such Commissioner was serving on the date of his resignation or removal.

(6) A majority of the members of the Standing Board Committee shall constitute a quorum and approval of any action shall require the affirmative vote of a majority of Commissioners present at the meeting and constituting a quorum. In the event that a quorum is initially present at a Standing Board Committee meeting but a quorum is not present throughout the meeting, the members may continue to take action on behalf of the Standing Board Committee provided such action is approved by the number of members otherwise required for such action assuming the presence of a quorum.

(7) All Standing Board Committee meetings shall be open to all Commissioners, unless the presence of Commissioners who are not members of such committee would violate the provisions of the Brown Act.

(8) Except with respect to the Executive Committee, alternate members of Standing Board Committees may be appointed by the Board from remaining Commissioners, to attend Standing Board Committee meetings in the absence of the principal appointees to the committees. To the fullest extent possible, the Board shall appoint alternates so as to maintain geographical balance on such Standing Board Committee. If the Commissioner alternate appointed by the Board is not able to attend, the Commissioner's designated alternate shall attend the meeting. It shall be the responsibility of the Commissioner to inform such Commissioner's alternate when such Commissioner is unable to attend a Standing Board Committee meeting 72 hours in advance of the meeting whenever possible.

*[Amended on November 16, 2005]*

(b) Standing Board Committees. The following Standing Board Committees are hereby created:

(1) Administration and Projects Committee. The Administration and Projects Committee shall focus on near-term activities which relate directly to projects, programs, transit operations, finance and administrative matters. The Committee is responsible for the following specific activities: budget for projects, transit and paratransit programs, and general administration; finance and financial reporting; the Administrative Code and policies of the Authority; personnel; capital outlay projects, including project policies, reviews, approvals and allocations; the Strategic Plan; paratransit and transit programs; programming of state and federal funds for projects; and legislation involving the above.

(2) Planning Committee. The Planning Committee shall focus on longer-term planning issues, and the funding allocations for demand management oriented activities. The Committee is responsible for the following specific activities: the Growth Management Program (GMP), including preparation of the Countywide Comprehensive Transportation Plan, GMP policies and requirements, checklist review and approval, facilitation of program implementation; and the Congestion Management Program (CMP), including preparation of the biennial Congestion Management Plan, CMP policies and requirements, deficiency plan guidelines and review of deficiency plan when prepared, checklist review, the Congestion Management Plan Capital Improvements Program, and facilitation of program implementation; oversight of computerized transportation demand modeling and land use data base; review and comment on the Metropolitan Transportation Commission's (MTC's) biennial Regional Transportation Plan (RTP) and related processes; planning studies conducted with other agencies; carpools, vanpools and park and ride funds; Transportation Fund for Clean Air (TFCA) policies, oversight and allocations; Congestion Management Agency (GMP, CMP and TFCA) budget; and legislation involving the above.

(3) Executive Committee. The Executive Committee, the membership of which shall consist of the Board Chair, the Board Vice Chair and the Chairs of the Administration and Projects Committee and the Planning Committee, shall be responsible for responding on behalf of the Authority in the event of an emergency which makes it

impossible for the full Board to act. During intervals between the meetings of the Board, the Executive Committee, in all cases in which specific directions shall not have been given by the Board, shall have and may exercise the power and authority of the Board, subject only to the limitation regarding Official Acts set forth in Section 103.5 hereof. In the event that, for any reason, the Executive Committee is unable to obtain a quorum of members, so many of the following alternate member(s), in the order indicated, as is necessary to achieve a quorum of the Executive Committee, may serve in their stead: (1) the Vice Chair of the standing committee for which the Committee Chair is absent or otherwise unavailable; (2) the Vice Chair of the other standing committee; (3) so many of the remaining members of the Board, in the order of their appointment to the Board (earliest to most recent) as may be necessary to achieve a quorum. A quorum of the Executive Committee shall consist of three members.

(c) Other Committees. The Board may establish such other standing, special, ad hoc or other Board Committees as it deems necessary or advisable from time to time.

*[Amended on April 21, 1993; December 21, 1994; September 19, 2001]*

104.3 Standing and Advisory Committees. The following committees have been established to assist in the creation of the Authority and the development of the Ordinance and the Expenditure Plan, to assist in the development of programs and projects under the Expenditure Plan and Ordinance, and to continue as standing committees. The standing and advisory committees are as follows:

(a) Regional Transportation Planning Committees. For each of the Central, East, West and Southwest County regions, a regional transportation planning committee has been established with responsibility for transportation issues within such area. Relative to the Authority's programs and processes, the Board shall prescribe the powers, duties and responsibilities of each RTPC. The RTPCs shall cooperate with the Authority in furtherance of Authority purposes. Each RTPC is responsible for developing a transportation plan for its area and updating it periodically, for incorporation by the Authority into a countywide transportation plan consistent with the Expenditure Plan and the Ordinance authorized by the voters and as amended from time to time by the Authority.

(b) Each RTPC shall consist of Elected Officials from each City in the region as well as a member or members of the Board of Supervisors representing the unincorporated area within the region. RTPCs may also include planning commissioners from the Cities and/or County represented on such RTPC as well as members from the policy board of other public bodies such as transit organizations, the Metropolitan Transportation Commission and ports, airports, or other agencies concerned with transportation. For election or recall of Commissioners, only City and County Elected Officials shall vote, and each City and Board of Supervisors shall have one vote for each such action. Other voting rights and procedures of the RTPCs governing the conduct of their activities shall be determined by each such RTPC with the concurrence of the Authority. Robert's Rules of Order shall be observed in the conduct of all RTPC meetings.

(c) Each City RTPC member shall be appointed by the governing body of the City and in the case of Board of Supervisors' members, by the Board of Supervisors; provided, that the removal or resignation of any RTPC member who is a Commissioner shall not cause such Commissioner to be removed from the Board. Members from other public bodies and special interest groups shall be appointed by the RTPC and shall serve at the pleasure of the RTPC. Each RTPC shall, by vote of a majority of the members of such RTPC, elect a chair at its first meeting and thereafter from time to time as required.

(d) Citizens Advisory Committee. The CAC is a citizens' advisory committee to the Authority. The purpose of the citizens' advisory committee is to provide citizen perspective, participation and involvement in Authority policy development and implementation.

(1) Membership. Each of the Cities and the County shall appoint one member to the CAC. In addition, three (3) members shall be appointed by the Authority as "at large" members. Members shall be selected to reflect community and business organizations and interests within the County. Members shall not serve in a representative capacity with respect to their appointing authorities.

(2) Terms of Membership. Members shall be appointed for four (4) year terms. There shall be no limit on the number of consecutive terms which a member may serve. At the discretion of the respective appointing body, CAC members are subject to recall at any time.

(3) Subcommittees, Select Committees and Ad Hoc Committees. The CAC may create such subcommittees, select committees and ad hoc committees, and shall fix the membership and duties thereof, as it determines necessary or advisable to carry out its functions. Except as otherwise provided herein, such subcommittees, select committees and ad hoc committees shall be advisory only, and their recommendations and reports shall be made to the CAC.

(4) Growth Management Compliance Checklist Review Subcommittee. A Growth Management Compliance Checklist Review subcommittee may be created, and its members appointed from the CAC membership by the full membership of the CAC. The subcommittee, if constituted, shall be charged with responsibility for reviewing and making recommendations to the Authority and any appropriate standing committee of the Authority with respect to Growth Management Checklists which have been submitted to the Authority by the Cities and the County in accordance with requirements of Ordinance 88-01 (as amended). In the interest of meeting timetables established by the Authority for review of Growth Management Checklists by the subcommittee, the report and recommendations of the Growth Management Compliance Checklist Review subcommittee may be submitted directly by the subcommittee to the Authority and/or any appropriate Authority standing committee. In such event, the report and recommendation need not be reviewed or approved by the full membership of the CAC. In the event the full membership of the CAC reviews reports and

recommendations made by the subcommittee, such review shall comply with the Authority timetable for review of the Checklists.

(5) CAC Bylaws. The CAC may develop and adopt bylaws setting forth procedures for meetings, election of officers, attendance requirements, and other matters as necessary to facilitate CAC functions. Initial adoption of the bylaws, and subsequent approval of any amendments to the bylaws, requires a two-thirds (2/3) vote of the CAC members present and voting at any regular meeting of the CAC, and subsequent approval by the full Authority Board.

*[Amended on October 18, 2006]*

(e) Technical Coordinating Committee.

(1) The TCC provides advice on technical matters that may come before the Authority. Members also act as the primary technical liaison between the Authority and the RTPCs. The TCC reviews and comments on project design, scope and schedule; provides advice on development of priority transportation improvement lists for submittal to the MTC for projects proposed under the federal Intermodal Transportation and Efficiency Act (ISTEA) as well as the state Flexible Congestion Relief (FCR) programs; reviews and comments on the Strategic Plan of the Authority and amendments and revisions thereto; reviews and comments on the Authority's Congestion Management Program and amendments and revisions thereto; reviews RTPC Action Plans and the merging of such Action Plans to form the Countywide Transportation Plan; and reviews and comments on the Authority's Growth Management Plan Implementation Documents.

(2) The TCC's membership shall consist of 24 representatives, as follows:

(A) twelve members, three appointed by each of the RTPCs, and representing planning, engineering and transportation disciplines;

(B) three members appointed by the Board of Supervisors representing the planning and engineering disciplines;

(C) five members, one appointed by each of the San Francisco Bay Area Rapid Transit District, the Central Contra Costa Transit Authority, the Alameda-Contra Costa Transit District, the East Contra Costa Transit Authority and the West Contra Costa Transit Authority;

(D) one member appointed by the City County Engineering Advisory Committee; and

(E) three members, one ex-officio, non-voting member appointed by each of the California Department of Transportation, the MTC and the Bay Area Air Quality Management District.

(3) Appointments shall be for renewable terms of two (2) years. Terms shall expire on March 31 of each odd numbered year. The committee shall elect a chair and vice chair annually. The committee may form subcommittees for the purpose of dealing with major programmatic issues. The committee shall meet monthly; subcommittee meeting shall be scheduled as necessary.

(4) Each member, excluding non-voting members, shall have one vote on any matter to come before the committee for a vote; provided, that with respect to recommendations for including a project on the Capital Improvement Program list for ISTEA funding, each applicant which is represented on the committee for a project which is proposed to be included on the list shall be entitled to cast one vote on the list of projects to be recommended to the Authority.

(f) Growth Management Task Force. The Growth Management Task Force assists the PGA with the development and implementation of the growth and congestion management plans of the Authority. Membership of the Task Force consists of four members from CAC, one staff member from each RTPC and one staff member from the County. The Task Force shall make recommendations and comment on issues coming before it, but shall not vote. Actions of the Task Force shall be subject to approval by vote of the PGA.

*[Amended on June 20, 1990; August 8, 1990; October 17, 1990; April 21, 1993, October 16, 1996; February 18, 2004; October 18, 2006]*

104.4 Bonding Requirement. The officers or persons who have charge of, handle or have access to any property of the Authority shall be so designated and empowered by the Board. Each such officer or person shall be required to file an official bond with the Board in an amount which shall be established by the Board. The premiums on any such bonds attributable to the coverage required herein shall be expenses of the Authority.

104.5 Compensation. Compensation of employees, including the Executive Director, shall be as provided for from time to time by the Board in accordance with the Personnel and Salary Manual and Procedures which is Chapter 6 attached hereto; provided that the compensation of any such employee may be governed by contract approved by the Board pursuant to the Contract Policies and Procedures, Chapter 5 attached hereto. In accordance with Section 180109 of the Act, Staff salary and benefits shall not exceed one percent of the funds generated pursuant to the retail transactions and use tax authorized by the Ordinance. Compensation, benefits and related personnel matters are set forth more fully in Chapter 6 attached hereto.

104.6 Representatives.

(a) The Board shall have the authority to establish by resolution, representatives to the Authority, representing transportation and transit agencies and other entities interested or involved in transportation issues in Contra Costa. Each such person shall be referred to as a "Representative". Representatives shall have the following powers:

(1) the right to attend regular sessions of the Board and to participate in the discussion of matters brought before the Board for consideration;

(2) the right to attend regular committee meetings of the Planning and Government Affairs committee of the Board and to participate in the discussion of matters brought before such committee;

(3) the right to attend regular meetings of such other Board Committees and of such Standing and Advisory Committees as the Board may determine, and to participate in the discussion of matters brought before such committees.

(b) Each Representative shall be designated by the entity represented from among eligible candidates. Each such Representative shall be an Elected Official (i) elected to the Board of Supervisors of, or to the council of a town or city located within, the County, and appointed to the entity represented to the Authority, or (ii) elected to the legislative body of the entity represented to the Authority, and elected at large or to represent a district or ward of such entity which is located wholly or partially within the County. Each Representative shall have an alternate designated by the entity represented from among eligible candidates for Representative. Representatives shall hold office for a term of one year, subject to replacement by such Representative's alternate at the discretion of the Board if such Representative has been absent from four consecutive meetings of the Board.

(c) Representatives shall not be commissioners, and shall have none of the rights or powers of such commissioners except as expressly provided herein. Without limiting the generality of the foregoing, such Representatives shall not:

(1) have the right to vote with respect to any matter brought before the Board or any Board Committee or Standing or Advisory Committee;

(2) be counted for purposes of determining the number of persons attending any meeting for quorum or voting purposes;

(3) be eligible for election or appointment as an officer of the Authority;

(4) be entitled to attendance fees or other compensation for attendance at meetings of the Authority or any committee thereof;

(5) be entitled to attend or to otherwise participate in closed sessions of the Board or any committee thereof.

(d) The Board shall have the authority to establish such other conditions and limitations with respect to Representatives as it deems necessary or advisable.

*[Amended on April 21, 1993]*

## The Board of Supervisors

County Administration Building  
651 Pine Street, Room 106  
Martinez, California 94553

**John Gioia**, 1<sup>st</sup> District  
**Candace Andersen**, 2<sup>nd</sup> District  
**Mary N. Piepho**, 3<sup>rd</sup> District  
**Karen Mitchoff**, 4<sup>th</sup> District  
**Federal D. Glover**, 5<sup>th</sup> District

April 12, 2015

David E. Hudson, Chair  
Contra Costa Transportation Authority  
2999 Oak Road, Suite 100  
Walnut Creek, CA 94597

## Contra Costa County



**David Twa**  
Clerk of the Board  
and  
County Administrator  
(925) 335-1900

### **Subject: DRAFT Rotation of Authority Chair and Vice Chair**

I am writing on behalf of the Board of Supervisors to raise a concern and make a request regarding the administration of the Contra Costa Transportation Authority (CCTA). Currently, the Chair of the CCTA Board rotates between the city representatives. We are respectfully requesting that the County now be included in this rotation.

The County's membership in CCTA is equal to that of the cities in most other respects. The Board of Supervisors believes that an equal opportunity should be provided to the County to serve in the leadership capacity of Chair and Vice Chair.

The Board of Supervisors appreciates and respects the leadership provided by the cities over these many years and we look forward to contributing in the same capacity if the Authority Board acts favorably on this request.

Sincerely,

Candace Andersen, Chair  
Contra Costa County Board of Supervisors  
Supervisor, District II

Copy: David Twa, Contra Costa County Administrator



Contra  
Costa  
County

To: Board of Supervisors  
From: LEGISLATION COMMITTEE  
Date: April 12, 2016

Subject: AB 1707 (Linder) Public Records Act Request Responses

---

**RECOMMENDATION(S):**

ADOPT an "Oppose" position on AB 1707 (Linder), as introduced: Public Records: Response to Request, a bill that would require a written response identifying type of record withheld as exempt and the specific exemption that justifies withholding that type of record, as recommended by the Legislation Committee. (No fiscal impact)

**FISCAL IMPACT:**

No immediate fiscal impact.

**BACKGROUND:**

At its March 14, 2016 meeting, the Legislation Committee considered the recommendation from the Clerk of the Board Jami Napier to recommend a position of "Oppose" to the Board of Supervisors on Assembly Bill (AB) 1707, which would require a response to a written request for public records be in writing regardless of whether the request was in writing. The bill would require that written response additionally to include a list that contains the title or other identification of each record requested but withheld due to an exemption and the specific exemption that applies to that record. Because local agencies would be required to comply with this new requirement, this bill would impose a state-mandated local program.

The Legislation Committee voted unanimously to recommend a position of Oppose to the full Board of Supervisors.

Attachment B is the letter from the California State Association of Counties (CSAC) to the author, opposing the bill.

The California Association of Clerks and Election Officials' (CACEO) Clerk of the Board Legislative Committee

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: L. DeLaney,  
925-335-1097

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

By: , Deputy

cc:

recently voted to OPPOSE AB 1707. The members were not concerned about adding the requirement that an agency respond in writing to even an oral CPRA request when a record or portion of a record is withheld, since the bill appears to reflect current practice in many or most member counties.

However, the members were very concerned that the bill would impose an unreasonable burden upon clerks and county counsels who would have to create a "privilege log" when responding in writing to a request in which records and portions of records are withheld. As one member of the Committee pointed out, the bill also would be precedent-setting in the CPRA in that it would require agencies to create a new record that does not currently exist. This view seems consistent with some county counsels' reading of the bill.

This legislation could also increase the difficulty in responding to record requests and could increase exposure to litigation (with potential for attorney fee awards). Even more important, there is a belief by some that it would not assist the public requesting records (except to aid in their litigation) or otherwise make privileged documents disclosable.

Status: 03/29/2016 From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on LOCAL GOVERNMENT.

## BACKGROUND: (CONT'D)

### 2015 CA A 1707: Bill Analysis - 03/24/2016 - Assembly Judiciary Committee

#### SYNOPSIS

Under the California Public Records Act (PRA), all public records are open to public inspection unless a statutory exemption provides otherwise. When an agency withholds requested records from public inspection, existing law requires it to justify the withholding by "demonstrating" that the record withheld is exempt under an express provision of the PRA. According to the author, however, agencies often fail to adequately "demonstrate" why records are withheld. For example, according to a recent report in the Fresno Bee, a school district denied a request by simply stating that the records requested were exempt under "one or more of the following exemptions," and then proceeded to list five code sections from the Government Code. The author believes that in order to truly "demonstrate" that a record is subject to an exemption, as existing law requires, the agency must do more than just list applicable code sections; it must make some linkage between the records or types of records withheld and the specific exemption that applies to those records. Without this linkage, persons or entities making a PRA request will not know which exemptions applied to which requested records, or why. This bill, therefore, would require the agency's written response to identify at least the type or types of records withheld, and the specific exemption that applies to each type. The bill is supported by the ACLU, the California Newspaper Publishers Association, and the Electronic Frontier Foundation, among others. The bill is opposed by several individual cities and counties, the associations that represent them, and other public agencies. Opponents claim that this measure will impose significant costs and burdens on local agencies. However, several of the letters of opposition respond to the bill as introduced or to earlier proposed amendments. It is unclear to what extent the recent amendments address all of the opposition concerns, but they would seem to go a long way in that direction. The bill will move to the Assembly Committee on Local Government should it advance out of this Committee.

SUMMARY: Requires that a public agency's written denial of a request for public records to provide a more specific explanation when it withholds requested public records. Specifically, this bill:

- 1) Provides that when a public agency withholds a record requested pursuant to the Public Records Act, the written response demonstrating that the record in question is exempt under an express provision of the Public Records Act shall identify the type or types of record withheld and the specific exemption that justifies withholding that type of record.
- 2) Finds and declares that because people have the right of access to information concerning the conduct of the people's business, requiring local agencies to identify which statutory exemption applies to the type or types of record withheld furthers the purpose the California Public Records Act.

#### EXISTING LAW:

- 1) Requires state and local agencies to make public records available for inspection, unless an exemption from disclosure applies. (Government Code Section 5250 et seq.)
- 2) Requires an agency to justify withholding any record that is responsive to a public records request by demonstrating that the record in question is exempt under express provisions of the Public Records Act or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record. Specifies that a response to a written request for inspection or copies of public records that includes a determination that the request is denied, in whole or in part, shall be in writing. (Government Code Section 6255 (a)-(b).)

FISCAL EFFECT: Unknown

COMMENTS: This bill seeks to strike a reasonable balance between the public's right to inspect public records against the ability of public agencies to withhold exempt documents without imposing unreasonable and costly burdens on those public agencies. Under the California Public Records Act (PRA), all public records are open to public inspection unless an express statutory exemption provides otherwise. When a public agency withholds

requested records from public inspection, existing law requires the agency to justify its decision by "demonstrating" that the record is exempt under an express provision of the PRA.

The author and supporters of this bill, however, suggest that the public agencies too often fail to adequately "demonstrate" why records were withheld. For example, according to a recent report in the Fresno Bee, a school district denied the newspaper's PRA request by asserting that the records requested were exempt under "one or more of the following exemptions," and then listed five Government code sections and subdivisions. (Fresno Bee, March 5, 2016.) Supporters of this bill - including the California Newspaper Publishers Association (CNPA), whose members must often make public record requests - contend that this kind of response is all too common. The author believes that in order to truly "demonstrate" that a record is subject to an exemption, as existing law requires, the agency must do more than merely list applicable code sections; it must make some linkage between the records or types of records withheld and the specific exemption that applies to those records. Otherwise, the persons or entities making PRA requests will not know which exemptions apply to which requested records, or why. This leaves the requester with little or no information about how to refine a future request or, alternatively, decide whether to seek a writ of mandate, compelling the agency to provide the responsive records.

This bill, therefore, would flesh out the existing requirement that an agency must "justify" a withholding by "demonstrating" that the record in question is subject to an express exemption. Under this bill, the agency would be required, in its written response, to identify the type or types of records withheld, and the specific exemption that applies to each type. Such an approach seems fully consistent with the implied intent of existing law, for it is difficult to imagine how an agency could "demonstrate" why a record was withheld if did not, at the very least, identify which exemptions applied to the types of records requested but withheld.

**Bills as Amended Does Not Require a "Log" or "List" of Responsive Documents:** The primary contention of the opponents of this bill is that it would require agencies to expend much more time, effort, and money responding to PRA requests and less time performing its essential public duties. To a certain extent, this criticism has been mitigated, at least in part and for some opponents, by recent amendments. As introduced, this bill would have required an agency to identify each record (and presumably each document) with a "title" and to list the corresponding exemption that applied next to that "title." This approach did indeed seem impractical in many ways. Not only would it have been needlessly time consuming - especially where an entire group or type of record was subject to the same exemption - the very "title" of the document could have revealed exempt information. To be sure, agency staff responding to a request could modify the "title" so as to redact or otherwise shield exempted information, but this would be very time consuming and of minimal public benefit. In addition, not all records or documents have obvious "titles," which would effectively require agency staff to create a title. Finally, and perhaps most significantly, the requirement that an agency list all document "titles" with corresponding exemptions would seem to require the agency to create the equivalent of the "privilege log" that is sometimes required in responses discovery requests. With one recently enacted exception, however, the provisions of the PRA do not require an agency to create records; the PRA only requires the agency to make existing records in its possession available for inspection and copying. In 2001, the California Supreme Court held that the existing language of the PRA does not require an agency to create any kind of "log" or "list" of responsive but exempt records. The Court suggested that the Legislature could amend the PRA to require such a list, but opined that as a policy matter such a requirement "would be burdensome and of scant public benefit." (*Haynie v. Superior Court* (2001) 26 Cal. 4th 1061, 1074-1075.)

In response to opposition concerns about the "title" and "list" requirement, concerns which mirrored the Court's dictum in *Haynie*, the author agreed to remove the "title" and "list" requirement. As recently amended, the bill simply requires that the agency, in its written response, to identify the records or types of records withheld and the specific exemption that applies to each type. That is, an agency could no longer list statutory exemptions and say that "one or more" of the listed exemptions applied to the records requested but withheld. Under this bill, an agency would need to state which exemptions applied to which records or types of records requested. This would not require an agency to create a "log" listing every record alongside a corresponding exemption. It would, however, require the agency to show which exemptions applied to which types of records withheld. For example: an agency could explain that certain types of contracts requested were subject to the trade secret exemption; or that the types of personnel records requested were subject to the medical information exemption; or that the correspondence requested was subject to the pending litigation exemption, and so on. This kind of written

response seems fully consistent with the intent of existing law, which already requires an agency to "demonstrate" why records in question were withheld, not merely list code sections that apply to the request as a whole. That the PRA already implicitly requires more than a form letter (i.e. a response that identifies the responsive documents at least by type) is also suggested by the requirement in current that the agency make reasonable efforts to assist the requester in refining his or her request in order to identify responsive and disclosable records. (Government Code Section 6253.1.) Without identifying the records and the exemptions that apply to those records, the agency would not have all of the information it would need to help the requester formulate a successful request for records. Clearly, the intent of the PRA is not only to make records available for public inspection, but to assist persons in finding relevant records and avoiding denials. It is difficult to imagine how a person could refine a request (with the assistance of the agency) if he or she did not know precisely why a prior request for specific documents was denied.

Recent Amendments Appear to Strike Reasonable Balance: As recently amended, this bill seeks an appropriate balance to a difficult practical problem. On the one hand, it seems unreasonably burdensome to require an agency to create a list identifying each responsive record that has been withheld with the specific exemption that applies placed next to the record. On the other hand, it seems equally unreasonable, and inconsistent with the purpose of the PRA, for an agency's written response to consist of a form letter that merely lists the statutory exemptions that may apply to the request as a whole, without making any effort to break down the request and explain which exemption applies to which types of responsive records.

Without question, the PRA imposes burdens on public agencies by requiring them to make all public records open to inspection, unless the record is subject to an express exemption. This not only requires agency staff to locate and retrieve responsive documents, it requires them to assess whether the records are subject to an exemption, which may not always be obvious. The PRA even requires the agency, within reason, to assist the requester in making a relevant and successful request. Moreover, in the provision amended by this bill, the PRA requires the agency to justify any withholding by "demonstrating" that the record withheld is subject to an express exemption. These duties impose burdens and costs, and the Legislature should be mindful of not adding to these burdens and costs unless doing so serves an important public benefit. Yet in enacting the PRA, the Legislature has already determined that access to public records is an essential feature of a democracy, even if it comes with some burdens and costs.

ARGUMENTS IN SUPPORT: According to the author, it is sometimes necessary and appropriate for a public agency to deny a public records request when the records in question contain information that is subject to a statutory exemption. However, the author also believes that, in the event of a denial, the agency should adequately explain why the request was denied. Yet too often, the author contends, "denial notifications only contain a list of exemptions that may apply to the documents requested. The list does not include information detailing the types of documents being withheld, or the exemptions that apply. Under the current system, an applicant is unable to examine for him or herself whether the document should indeed be exempt."

ACLU supports this bill because it supports government transparency. As an organization that is "concerned with fair and responsive government," the ACLU "frequently utilizes the PRA to gather important information about public entities." ACLU claims that government agencies "frequently respond to a PRA request with a form letter listing various exemptions from disclosure for all requested documents without stating whether responsive documents exist, what they are, or which exemption allegedly applies." ACLU believes that "AB 1707 would give a requester the information necessary to determine whether an agency has records responsive to the request, and appropriately advise the requester whether a legitimate exemption authorizes withholding the records." Finally, ACLU adds that the clarification afforded by AB 1707 "is consistent with the design and purpose of the PRA, would avoid unjustified obstructions, and would eliminate costly and would eliminate costly litigation in an already overburdened court system."

The California Newspaper Publishers Association (CNPA) similarly stresses that, even though current law requires agencies to identify specific exemptions that justify withholding a specific record, the agencies often respond to a PRA request with a form letter that lists various exemptions that the agency "believes applies to the entire cache of requested records without identifying which exemption applies to which record." CNPA claims that such a response "subverts the purpose of the act - to give the people meaningful access to public records - and

forces the requester to go to court to learn why certain records were denied and which exemption applies." In this respect, CNPA, like many of the other supporters, suggests that in the long run this bill may lessen the burden on agencies, requesters, and courts by allowing requesters to get necessary information without going to court to challenge a denial.

The Electronic Frontier Foundation (EFF) supports this bill for substantially the same reasons as those noted above; it additionally observes that AB 1707 will move the state closer to what is required under the federal Freedom of Information Act (FOIA), after which the CPRA is modeled. Under federal law, according to EFF, "it has become general practice to cite specific exemptions for each redaction made in a public record." EFF counters the arguments made by government agencies about the added costs and burdens by suggesting that "the bill may conserve recourses as well. If a member of the public chooses to challenge a CPRA request denial in court, this bill would allow the requester to narrow the challenge to specific documents, thus limiting the scope of litigation for both the government and the requester."

ARGUMENTS IN OPPOSITION: Several individual cities in California, as well as the League of California cities, oppose this bill because, they contend, it will pose "significant operational challenges, increased costs and a potential for increased litigation for cities already struggling to comply with the California Public Records Act (CPRA)." As noted above in the analysis, most of the letters received by the Committee appear to be in response to the bill as introduced or to a set of earlier proposed amendments that are significantly different than the most recent amendments. Nonetheless, whatever form additional requirements may take, the cities remind us that any additional requirements will impose burdens and costs on already limited resources. Many of the letters submitted by the cities point out that they "already struggle to comply with the 10-day response period associated with the CPRA." Moreover, cities contend that in recent years the volume of requests have increased, so much so that "many cities large and small have already had to hire additional staff dedicated solely to review documents in association with CPRA requests." Other objections by the cities that submitted letters of opposition address the provision, no longer in the bill, that would have required the agency to supply a "log" or "list" of responsive titles as part of the denial response. The bill is also opposed by counties, county associations, and miscellaneous local, regional, and state entities for substantially the same reasons as those put forth by the cities.

REGISTERED SUPPORT / OPPOSITION:

**Support**

ACLU  
California Newspaper Publishers Association  
Electronic Frontier Foundation  
Firearms Policy Coalition  
San Diegans for Open Government  
Socrata  
Sierra Club

**Opposition**

Association of California Water Agencies  
California Association of Clerks and Election Officials  
California Association of Counties  
City Clerks Association of California  
City of Burbank  
City of Belvedere  
City of Chico  
City of Chino  
City of Chino Hills  
City of Coachella  
City of Colton  
City of Corona  
City of Costa Mesa

City of Cypress  
City of Danville  
City of Desert Hot Springs  
City of Downey  
City of Dublin  
City of Eastvale  
City of Glendora  
City of Indian Wells  
City of Laguna Hills  
City of Lakeport  
City of Lakewood  
City of La Quinta  
City of Los Alamitos  
City of Los Altos  
City of Martinez  
City of Menifee  
City of Murrieta  
City of Napa  
City of Newark  
City of Newport Beach  
City of Norco  
City of Norwalk  
City of Ontario  
City of Pinole  
City of Poway  
City of Rancho Cucamonga  
City of Riverbank  
City of Rocklin  
City of Roseville  
City of Salinas  
City of San Dimas  
City of San Marino  
City of Santa Maria  
City of Santa Monica  
City of South Lake Tahoe  
City of Temecula  
City of Torrance  
City of Union City  
League of California Cities  
Sacramento Municipal Utility District (SMUD)  
San Joaquin Board of Supervisors  
One Individual

Analysis Prepared by: Thomas Clark / JUD. / (916) 319-2334

CONSEQUENCE OF NEGATIVE ACTION:

Contra Costa County would not have a position on the bill.

ATTACHMENTS

Attachment A: AB 1707 bill text

Attachment B: CSAC Oppose

**ASSEMBLY BILL**

**No. 1707**

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**Introduced by Assembly Member Linder**

January 25, 2016

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An act to amend Section 6255 of the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1707, as introduced, Linder. Public records: response to request.

The California Public Records Act requires state and local agencies to make public records available for inspection, unless an exemption from disclosure applies. The act requires a response to a written request for public records that includes a denial of the request, in whole or in part, to be in writing.

This bill instead would require that response to be in writing regardless of whether the request was in writing. The bill would require that written response additionally to include a list that contains the title or other identification of each record requested but withheld due to an exemption and the specific exemption that applies to that record. Because local agencies would be required to comply with this new requirement, this bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

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

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

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

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

1 SECTION 1. Section 6255 of the Government Code is amended  
2 to read:

3 6255. (a) The agency shall justify withholding any record by  
4 demonstrating that the record in question is exempt under express  
5 provisions of this chapter or that on the facts of the particular case  
6 the public interest served by not disclosing the record clearly  
7 outweighs the public interest served by disclosure of the record.

8 (b) A response to ~~a written~~ any request for inspection or copies  
9 of public records that includes a determination that the request is  
10 denied, in whole or in part, shall be in writing. *That written*  
11 *response also shall include a list that contains both of the*  
12 *following:*

13 (1) *The title or other identification of each record requested but*  
14 *withheld due to an exemption.*

15 (2) *The specific exemption that applies to that record.*

16 SEC. 2. The Legislature finds and declares that Section 1 of  
17 this act, which amends Section 6255 of the Government Code,  
18 furthers, within the meaning of paragraph (7) of subdivision (b)  
19 of Section 3 of Article I of the California Constitution, the purposes  
20 of that constitutional section as it relates to the right of public  
21 access to the meetings of local public bodies or the writings of  
22 local public officials and local agencies. Pursuant to paragraph (7)  
23 of subdivision (b) of Section 3 of Article I of the California  
24 Constitution, the Legislature makes the following findings:

25 Because the people have the right of access to information  
26 concerning the conduct of the people’s business, requiring local  
27 agencies to provide a written response to any request for public  
28 records that is denied and to include in that response a list of each  
29 record being withheld due to an exemption from disclosure and

1 the specific exemption that applies furthers the purposes of Section  
2 3 of Article 1.  
3 SEC. 3. No reimbursement is required by this act pursuant to  
4 Section 6 of Article XIII B of the California Constitution because  
5 the only costs that may be incurred by a local agency or school  
6 district under this act would result from a legislative mandate that  
7 is within the scope of paragraph (7) of subdivision (b) of Section  
8 3 of Article I of the California Constitution.

O



CALIFORNIA ASSOCIATION OF CLERKS  
AND ELECTION OFFICIALS

CALIFORNIA STATE ASSOCIATION OF COUNTIES  
1100 K Street, Suite 101  
Sacramento, CA 95814  
916/327-7500

CALIFORNIA ASSOCIATION OF CLERKS AND ELECTED OFFICIALS  
1127 11<sup>th</sup> Street  
Sacramento, CA 95814  
916/444-2542

March 8, 2016

The Honorable Eric Linder  
Member, California State Assembly  
State Capitol, Room 2016  
Sacramento, California 95814

**Re: AB 1707 (Linder) – Public records: response to request  
As Introduced on January 25, 2016 – OPPOSE**

Dear Assembly Member Linder:

The California State Association of Counties (CSAC) and the California Association of Clerks and Election Officials (CACEO), regret that we must oppose your Assembly Bill 1707, which would require that local agencies subject to the California Public Records Act (PRA) include in their responses to requests for public records the name of documents withheld, and the exemption that applies to each document. The bill would additionally require these agencies to respond to all requests via written response, regardless of how the request is made.

**Would Require Public Agencies to Maintain Privilege Logs for PRA Requests**

While the intent behind AB 1707 may be purported to result in further transparency in the realm of access to public records, the costs and administrative burden it would place on public agencies would be crippling. The provisions of AB 1707 would essentially require public agencies to, in response to a PRA request, maintain a version of a “privilege log” – a document describing those documents or other items withheld from production in a civil lawsuit due to the claim that the documents are privileged from disclosure because of the attorney-client privilege or some other privilege. If a privilege claim is made, the party claiming privilege has the burden of showing that the privilege applies, usually by providing sufficient information on the privilege log so that the opposing party can assess its validity.

Requiring public agencies to maintain a document-by-document log of records not provided in response to PRA requests will not only increase the complexity and cost of responding, it will additionally invite substantial ancillary litigation regarding whether an agency has complied with the procedural aspects of PRA and will not further benefit the requesting party. In fact, in *Haynie v. Superior Court* (2001) 26 Cal.4th 1061, the Court opined, “Requiring a public agency to provide a list of all records in its possession that may be responsive to a CPRA request has the potential for imposing significant costs on the agency. A single request may involve thousands of pages of materials... To require each public agency to catalog the responsive documents for each of the requests it receives – even when the agency could legitimately claim that all responsive documents are exempt from disclosure – would be burdensome and of scant public benefit.”

Currently, public agencies cannot simply state that a record does not exist; they must state that there is something that cannot be disclosed and must justify withholding any record by demonstrating that, on the facts of the particular case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (California Government Code §6255). It should

additionally be noted that many PRA requests are incredibly voluminous and include potentially large numbers of communications (calls, emails, etc.); the requirement to list each record withheld and the exemption claimed would be extremely burdensome and would provide no added meaningful information than is currently provided.

### **Privacy Concerns**

AB 1707 would require that the written responses include the title or any other identification of the document being withheld, and the exemption that applies to each record exempted. Requiring a list of specific documents would, in many cases, create a potential conflict with statutory confidentiality provisions, including, among many others:

- Revenue and Taxation Code §408 (includes property appraisal documents, change of ownership documents and others).
- Welfare and Institutions Code §827 (confidential juvenile court records may only be viewed by certain parties) and other WIC codes involving adult protective services and welfare benefits records.
- Penal Code §832.7 (confidentiality of peace officer personnel information).

Further, protecting the confidentiality of exempt records relating to the deliberative process and records that are subject to attorney-client privilege may be compromised, in whole or in part, just by revealing the name or content of a privileged document. This consequence would involve far more than issues of cost and increased workload. For instance, the revelation of such information may compromise investigations in which confidentiality is essential to the effectiveness of the investigation.

### **Unnecessary Expansion of Required Written Responses**

Government Code currently requires that, "A response **to a written request** (emphasis added) for inspection or copies of public records that includes a determination that the request is denied, in whole or in part, shall be in writing." AB 1707 removes the written response requirement in GC§6255(b) and applies it to denials (including redactions of records as well as total withholdings) of oral requests as well as written requests; it additionally contains no provision that would nullify the obligation to provide a written response in the instance where the requester is willing to forego the written response.

It is not unusual for a member of the public to call or simply make an in-person request at a county department for a single record. This expansion of the written response requirement to all denied or redacted PRA requests would be astoundingly burdensome on county staff and departments and reduce our ability to provide important services to our residents. To date, CSAC has been provided with no specific incidents that would justify the need for this expansion.

### **Imposes a Costly, Non-Reimbursable Mandate**

Proposition 42 (2014) amended the California Constitution to require local government agencies to comply with the PRA and to eliminate the requirement that the state reimburse local government agencies for compliance with the Act. Accordingly, the costs unnecessarily imposed by AB 1707 will take funds directly out of services we provide to our 38 million residents, including public safety, human services, and health benefits.

In conclusion, AB 1707 is an unjustified expansion of the California Public Records Act that would place an undue fiscal and administrative burden on counties and subject them and their residents to confidentiality breaches and litigation. Our Association struggles to determine the necessity of such legislation and any significant problem it attempts to correct or the members of the public it seeks to help.

For these reasons, we respectfully oppose AB 1707. Should you have further questions, please contact Faith Conley, CSAC Legislative Representative at 916.650.8117.

Cc: The Honorable Mark Stone, Chair, Assembly Judiciary Committee  
Members, Assembly Judiciary Committee  
Tom Clark, Consultant, Assembly Judiciary Committee  
Consultant, Assembly Republican Caucus



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services  
Date: April 12, 2016

Subject: Add nine (9) full-time positions in the Health Services Department

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**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21847 to add four (4) full-time Registered Nurse-Experienced Level (VWXD) positions at salary level L3H-0400 (\$94,242-\$105,040); four (4) full-time Mental Health Clinical Specialist (VQSB) positions at salary level QT2-1384 (\$54,172-\$80,419); and one (1) full-time Administrative Aide (AP7A) position at salary level B85-0972 (\$34,981-\$54,268) in the Health Services Department. (Represented)

**FISCAL IMPACT:**

Upon approval, this action has an annual cost of approximately \$1,297,588, which includes estimated pension costs of \$282,619. The cost will be funded by Federally Qualified Health Center (FQHC) revenues and Health Resources and Services Administration (HRSA) Medication-assisted Treatment (MAT) Grant monies.

**BACKGROUND:**

The Health Care for the Homeless Program in Public Health received a grant on March 1, 2016 to provide MAT services for those in need in Contra Costa County, specifically for homeless individuals. MAT Services will include case management for opioid dependent individuals who are transitioning to a drug called buprenorphine. MAT clinics include individual and group counseling sessions and will be operated in Antioch, Concord and West County.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Arlene J. Lozada  
(925)957-5269

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The Registered Nurses will provide case management and ensure that patient care is administered in a thorough and safe manner. The Mental Health Clinical Specialists will provide psycho-therapeutic intervention, treatment and other related mental health services to clients. The Administrative Aide will provide technical administrative work ensuring program needs and grant funding requirements are met.

HRSA, a Federal Agency that funds our program requires that the County provide the MAT services before June 30, 2016. HRSA is giving the County 120 days to implement this program otherwise the funds will be revoked. Grant funding will be provided annually.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, grant funds will be revoked.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

P300 No. 21847

POSITION ADJUSTMENT REQUEST

NO. 21847
DATE 3/25/2016

Department Health Services
Department No./ Budget Unit No. 0540 Org No. 6377 Agency No. A18
Action Requested: Add four (4) Registered Nurse-Experienced Level (VWXD), four (4) Mental Health Clinical Specialist (VQSB) and one (1) Administrative Aide (AP7A) positions in the Health Services Department.

Proposed Effective Date: 4/13/2016

Classification Questionnaire attached: Yes [ ] No [x] / Cost is within Department's budget: Yes [ ] No [x]

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

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

Total annual cost \$1,297,588 Net County Cost
Total this FY \$216,264.67 N.C.C. this FY

SOURCE OF FUNDING TO OFFSET ADJUSTMENT HRSA MAT Grant and FQHC Revenue Offset

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Arlene J. Lozada

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Enid Mendoza

4/4/2016

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE

Exempt from Human Resources review due to delegated authority.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [ ] Day following Board Action.
[ ] (Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

4/4/2016

- [ ] Approve Recommendation of Director of Human Resources
[ ] Disapprove Recommendation of Director of Human Resources
[x] Other: Approve as recommended by the department.

Enid Mendoza

(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 4/4/2016

No. xxxxxx

1. Project Positions Requested:
  
2. Explain Specific Duties of Position(s)
  
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
  
4. Duration of the Project: Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
  
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
  
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
  
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
  
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
  
9. How will the project position(s) be filled?
  - a. Competitive examination(s)
  - b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - c. Direct appointment of:
    1. Merit System employee who will be placed on leave from current job
    2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services  
Date: April 12, 2016

Subject: Cancel one (1) full-time position and add one (1) full-time position in the Health Services Department

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21848 to cancel one (1) vacant full-time Clerk-Senior level (JWXC) position #7151 at salary level 3RX-1033 (\$37,049-\$47,313) and add one (1) full-time Clerical Supervisor position (JWHF) at salary level K6X-1290 (\$47,785-\$61,023) in the Health Services Department. (Represented).

**FISCAL IMPACT:**

Upon approval, this action has an annual cost of approximately \$103,858, which includes \$21,663 in pension costs. The cost will be funded by 85% State California Children Services funds and 15% General Fund.

**BACKGROUND:**

The California Children's Services Program is a statewide program that arranges and pays for medical care, equipment and rehabilitation for eligible children and youth. The Clerical Supervisor will be assigned to the California Children's Services (CCS) Administration Office. Public Health's CCS Program serves over 4,100 clients and the Clerical Supervisor will provide supervision to an Account Clerk, ten Senior Clerks and one Clerk-Specialist in order to ensure that office processes and procedures are completed. Performing the most complex and responsible clerical duties, the incumbent will also review work flows, complete performance evaluations and direct the work of support staff.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Arlene J. Lozada  
(925)957-5269

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Adding this position will relieve the Program Administrator and other Managers in overseeing the work of administrative support staff members, including student workers. The Clerical Supervisor will be a participant of the CCS Management Team.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, program operational needs will not be achieved due to staffing shortage.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.

ATTACHMENTS

P300 No. 21848 HSD

POSITION ADJUSTMENT REQUEST

NO. 21848
DATE 3/25/2016

Department Health Services
Department No./ Budget Unit No. 0460 Org No. 5890 Agency No. A18
Action Requested: Cancel one (1) Clerk-Senior Level (JWXB) position #7151 and add one (1) Clerical Supervisor (JWHF) position in the Health Services Department.

Proposed Effective Date: 4/13/2016

Classification Questionnaire attached: Yes [ ] No [x] / Cost is within Department's budget: Yes [x] No [ ]

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

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

Total annual cost \$103,858.69 Net County Cost \$15,578.80
Total this FY \$17,309.78 N.C.C. this FY \$2,596.46

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 85% State CA Children Services and 15% General Fund

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Arlene J. Lozada

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE

Exempt from Human Resources review under delegated authority.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [x] Day following Board Action.
[ ] (Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

4/6/2016

- [ ] Approve Recommendation of Director of Human Resources
[ ] Disapprove Recommendation of Director of Human Resources
[x] Other: Approve as recommended by the Department.

Enid Mendoza

(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 4/7/2016

No. xxxxxx

1. Project Positions Requested:
  
2. Explain Specific Duties of Position(s)
  
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
  
4. Duration of the Project:      Start Date \_\_\_\_\_      End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
  
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
  
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
  
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
  
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
  
9. How will the project position(s) be filled?
  - a. Competitive examination(s)
  - b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - c. Direct appointment of:
    1. Merit System employee who will be placed on leave from current job
    2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services  
Date: April 12, 2016

Subject: Add and cancel positions in the Health Services Department

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21849 to add three (3) full-time and one (1) part-time 20/40 Community Health Worker II positions (VKVB) at salary level QT5-1043 (\$37,515-\$45,599) and cancel two (2) Clerk-Senior level (JWXC) positions #6426 and #8493 at salary level 3RX-1033 (\$37,049-\$47,313) and two (2) Clerk-Experienced Level (JWXB) positions #13895 and #8460 at salary level 3RH-0750 (\$33,529-\$41,601) in the Health Services Department. (Represented)

**FISCAL IMPACT:**

Upon approval, this action will have an annual cost savings of approximately \$3,868 due to the cancellation of the four vacant positions.

**BACKGROUND:**

The Women, Infants and Children (WIC) Program is a federally funded health and nutrition program that helps pregnant and postpartum women, infants and children under 5 years old to eat healthy foods and live a healthy and active life. Under this program, women, infants and children who qualify, are able to take advantage of various services such as breastfeeding support, nutrition and health education classes, checks to buy healthy foods, and referrals for health care and community services.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Arlene J. Lozada  
(925)957-5269

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The four positions to be cancelled are vacant due to resignations. It was determined that adding three full-time and one part-time Community Health Worker II positions will better serve the current needs of the Women, Infants & Children (WIC) Program. This will also help the program's operational efficiencies and fulfill its obligations under the State Maternal, Child and Adolescent Health (MCAH) contract. The Community Health Worker II works in a variety of public health programs providing basic health care information and services to clients. Incumbents also provide assistance to medical personnel and nursing staff in their examination of patients and in other clinic activities.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, program operational needs will not be achieved due to staffing shortage.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

P300 No 21849 HSD

**POSITION ADJUSTMENT REQUEST**

NO. 21849  
DATE 3/25/2016

Department Health Services Department No./  
Budget Unit No. 4650 Org No. 5828 Agency No. A18

Action Requested: Add three (3) full-time and one (1) part-time 20/40 Community Health Worker II (VKVB) positions, and cancel two (2) Clerk-Senior Level (JWXC) positions #6426 and #8493 and two (2) Clerk-Experienced Level (JWXB) positions #13895 and #8460 in the Health Services Department.

Proposed Effective Date: 4/13/2016

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 (\$3,868.00) Net County Cost (\$967.00)  
Total this FY (\$967.00) N.C.C. this FY (\$241.75)

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost Savings(75% State WIC and 25% General Fund)

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Arlene J. Lozada

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE \_\_\_\_\_

Exempt from Human Resources review under delegated authority.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective:  Day following Board Action.  
 \_\_\_\_\_(Date)

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 4/6/2016

- Approve Recommendation of Director of Human Resources
- Disapprove Recommendation of Director of Human Resources
- Other: Approve as recommended by the department.

Enid Mendoza

\_\_\_\_\_  
(for) County Administrator

BOARD OF SUPERVISORS ACTION:

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

Adjustment is APPROVED  DISAPPROVED

DATE \_\_\_\_\_

BY \_\_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date 4/7/2016

No. xxxxxx

1. Project Positions Requested:
  
2. Explain Specific Duties of Position(s)
  
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
  
4. Duration of the Project:      Start Date \_\_\_\_\_      End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
  
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
  
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
  
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
  
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
  
9. How will the project position(s) be filled?
  - a. Competitive examination(s)
  - b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - c. Direct appointment of:
    1. Merit System employee who will be placed on leave from current job
    2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services  
Date: April 12, 2016

Subject: Increase the position hours of one Cook position in the Health Services Department

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21850 to increase the hours of a permanent part-time Cook (1KWA) position #9641, from 24/40 to 40/40 in the Health Services Department. (Represented)

**FISCAL IMPACT:**

Upon approval, the costs associated with this action will be approximately \$27,240 annually with benefits, including \$6,578 in pension costs. Costs will be funded by Enterprise Fund I (100%).

**BACKGROUND:**

Contra Costa Regional Medical Center's (CCRMC) Nutrition Services unit has identified a need to increase the hours of Cook position #9641 from a 24/40 part-time position to a full-time position. The incumbent in this position has been working the increased hours in excess of 12 months and the Department has determined an ongoing need for these increased hours. Cooks working at CCRMC have a direct patient care impact as the food prepared is provided to hospital patients, staff and visitors.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Kristen Cunningham,  
925-957-5267

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, Contra Costa Regional Medical Center will not have adequate staffing hours in its kitchen which directly impacts patient care.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

P300 No. 21850 HSD

POSITION ADJUSTMENT REQUEST

NO. 21850
DATE 3/29/2016

Department HEALTH SERVICES-CCRMC
Department No./ Budget Unit No. 0540 Org No. 6501 Agency No. A18
Action Requested: Increase the position hours of permanent part-time Cook (1KWA) position #9641 from 24/40 to 40/40 in the Health Services Department.

Proposed Effective Date: 4/13/2016

Classification Questionnaire attached: Yes [ ] No [x] / Cost is within Department's budget: Yes [x] No [ ]

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

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

Total annual cost \$27,240.89 Net County Cost \$0.00
Total this FY \$6,810.22 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Enterprise Fund I

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Kristen Cunningham

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE

Exempt from Human Resources review under delegated authority.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [x] Day following Board Action.
[ ] (Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

4/6/2016

- [ ] Approve Recommendation of Director of Human Resources
[ ] Disapprove Recommendation of Director of Human Resources
[x] Other: Approve as recommended by the department.

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

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

Adjustment is APPROVED [ ] DISAPPROVED [ ]

DATE

BY

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date 4/7/2016

No. \_\_\_\_\_

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.
  
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  - a. Competitive examination(s)
  - b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - c. Direct appointment of:
    1. Merit System employee who will be placed on leave from current job
    2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: April 12, 2016

Subject: Lease with New Cingular Wireless PCS located at 1850 Muir Road, Martinez.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute an Amended and Restated Communication Site Lease between New Cingular Wireless PCS, LLC and Contra Costa County (County), to lease approximately 500 square feet of vault and tower space, for a five year term commencing April 1, 2016 and ending March 30, 2021;

EXERCISE any options to renew the lease, as defined in the lease. The County will receive total revenue of \$148,884 over 5 years, as outlined under the terms and conditions set forth in the lease; and

DETERMINE that the lease will not substantially interfere with the public use of the property.

**FISCAL IMPACT:**

100% General Fund

**BACKGROUND:**

This site is a primary and necessary link in the communications network

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: David Silva,  
925-313-2132

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

for Contra Costa County. The County maintains its own separate communication vault with equipment under the Department of Information Technology at this facility. This lease was originally leased to Bay Area Cellular Telephone Company under a lease dated July 1, 1992. The County has numerous revenue leases with different entities at this location.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve the amendment may result in the County not being able to offset its operating costs in maintaining the tower and vault.

ATTACHMENTS

Amended Lease

Amended and Restated  
Communication Site Lease

This Amended and Restated Communication Site Lease ("Lease") is dated as of April 1, 2016 (the "Effective Date"), and is between NEW CINGULAR WIRELESS PCS, LLC, a Delaware limited liability company (the "Tenant"), and the COUNTY OF CONTRA COSTA, a political subdivision of the State of California (the "County").

Recitals

- A. Tenant is the successor-in-interest to Bay Area Cellular Telephone Company (the "Original Tenant"), as tenant, under a lease between the County and the Original Tenant that commenced July 1, 1992 (the "Original Lease").
- B. The initial term of the Original Lease was ten years. Under the terms of the Original Lease, the initial term was extended for an additional ten years, through June 30, 2012. On June 30, 2012, the parties agreed to extend the Original Lease on a month-to-month basis.
- C. Under the terms of the Original Lease, the Original Tenant was permitted to construct and install a variety of improvements on County-owned property located at 1850 Muir Road, Martinez, California (the "Site"). The parties also agreed that, in lieu of rent during the initial term, certain improvements would become the property of the County. All such improvements are the "County Facility." All other improvements constructed or installed by the Original Tenant or the Tenant on the Site are the "Tenant Facility."
- D. The County Facility consists of (i) a 140-foot high, three-legged antenna tower (the "Tower"), (ii) an approximately 500 square foot structure used to house assorted communications equipment (the "County Vault"), and (iii) all equipment located in or on the County Vault, including radios, communications equipment, conduits, wires, and utility connections. The location of the Tower and the County Vault are shown on Exhibit A. In addition, the County has installed in its vault and on the Tower, a variety of equipment and improvements, including radios, antennas, microwave dishes, conduits, wires, and utility connections (together, the "County Equipment").
- E. The Tenant Facility consists of (i) an approximately 500 square foot structure used to house assorted communications equipment (the "Tenant Vault"), and (ii) all equipment located in or on the Tenant Vault, including radios, communications equipment, conduits, wires, and utility connections. The location of the Tenant Vault is shown on Exhibit A. In addition, the Tenant has installed a variety of equipment on the Tower, including radios, antennas, microwave dishes, conduits, wires, and utility connections (together with the equipment located in or on the Tenant Vault, the "Tenant Equipment"). As of the Effective Date, the Tenant Equipment includes six panel antennas on the Tower at the 140-foot height level.

- F. The approximately 500 square foot area where the Tenant Vault is located, and wherever the Tenant Equipment is located on the Site is the “Premises.”
- G. The parties desire to amend and restate the Original Lease to extend the term and modify various provisions.

The parties therefore amend and restate the Original Lease in its entirety as follows:

### **AGREEMENT**

1. Lease; Use. The County hereby leases the Premises to Tenant for the purpose of operating a communications facility that transmits and receives wireless communication signals.
2. Term.
  - 2.1 The term of this Lease begins on the Effective Date.
  - 2.2 The initial term of the lease is five years (the “Initial Term”). The Tenant may extend the Initial Term for two successive five-year periods (each, a “Renewal Term”) on the same terms and conditions as set forth herein. The Initial Term and any Renewal Term are the “Term” of this Lease.
  - 2.3 Any holding over after the Term is a tenancy from month to month, subject to the terms of this Lease as far as applicable, except the Rent (as defined below) will be 125% of the rent in effect at the end of the Term.
3. Rent.
  - 3.1 Commencing on the Effective Date, Tenant shall pay rent (“Rent”) to County as follows:
    - A. Initial Term:
      - i. Two Thousand Three Hundred Forty Dollars (\$2,340.00) per month for the period that begins April 1, 2016 and ends March 31, 2017.
      - ii. Two Thousand Four Hundred Ten Dollars (\$2,410.00) per month for the period that begins April 1, 2017 and ends March 31, 2018.
      - iii. Two Thousand Four Hundred Eighty Dollars (\$2,480.00) per per month for the period that begins April 1, 2018 and ends March 31, 2019.
      - iv. Two Thousand Five Hundred Fifty Dollars (\$2,550.00) per month for the period that begins April 1, 2019 and ends March 31, 2020.

- v. Two Thousand Six Hundred Twenty-Seven Dollars (\$2,627.00) per month for the period that begins April 1, 2020 and ends March 31, 2021.

B. First Renewal Term:

- i. Two Thousand Seven Hundred Ten Dollars (\$2,710.00) per month for the period that begins April 1, 2021 and ends March 31, 2022.
- ii. Two Thousand Seven Hundred Ninety Dollars (\$2,790.00) per month for the period that begins April 1, 2022 and ends March 31, 2023.
- iii. Two Thousand Eight Hundred Seventy Dollars (\$2,870.00) per month for the period that begins April 1, 2023 and ends March 31, 2024.
- iv. Two Thousand Nine Hundred Sixty Dollars (\$2,960.00) per month for the period commencing April 1, 2024 and ending March 31, 2025.
- v. Three Thousand Fifty Dollars (\$3,050.00) per month for the period that begins April 1, 2025 and ends March 31, 2026.

C. Second Renewal Term:

- i. Three Thousand One Hundred Forty Dollars (\$3,140.00) per month for the period that begins April 1, 2026 and ends March 31, 2027.
- ii. Three Thousand Two Hundred Forty Dollars (\$3,240.00) per month for the period that begins April 1, 2027 and ends March 31, 2028.
- iii. Three Thousand Three Hundred Thirty Dollars (\$3,330.00) per month for the period that begins April 1, 2028 and ends March 31, 2029.
- iv. Three Thousand Four Hundred Thirty Dollars (\$3,430.00) per month for the period that begins April 1, 2029 and ending March 31, 2030.
- v. Three Thousand Five Hundred Thirty Dollars (\$3,530.00) per month for the period that begins April 1, 2030 and ends March 31, 2031.

3.2 Rent is to be sent to the County at the address set forth in Section 19, Notices. Rent is payable monthly in advance and is due on or before the first day of each month. In partial months, Rent will be prorated based on a 30-day month.

3.3 Upon the agreement of County and Tenant, Tenant may pay Rent by electronic funds transfer. County shall provide Tenant with bank routing information upon request.

4. Security Deposit. To ensure Tenant's satisfactory performance of the terms of this Lease, upon the execution of this Lease, Tenant shall pay to County the sum of Five Thousand Dollars (\$5,000.00) (the "Security Deposit"). The County may hold the

Security Deposit in a separate or general account as it determines in its sole discretion. Any interest accrued on the Security Deposit is for the benefit of County. If County makes a claim against the Security Deposit, Tenant shall restore the Security Deposit to its full amount of Five Thousand Dollars (\$5,000.00) within fifteen (15) days after the County's written demand therefor. After the expiration or earlier termination of this Lease, County shall return to Tenant any unused portion of the Security Deposit held by County with a reasonable accounting for any deductions therefrom, upon the later to occur of (i) ninety (90) days after the expiration or termination, and (ii) ninety (90) days after the removal of the Tenant Vault and/or the Tenant Equipment, if required pursuant to Section 16, Ownership of Improvements, or Section 17, Ownership of Equipment.

5. Maintenance / Utilities.

5.1 Tenant shall keep and maintain the Premises in good condition, reasonable wear and tear and damage from the elements excepted. County shall maintain the Site and access thereto, in good and tenable condition, subject to reasonable wear and tear and damage from the elements.

5.2 Tenant shall provide electrical service to the Tenant Facility that is separately metered and billed directly to Tenant by the utility company.

6. Taxes. Tenant shall pay personal property taxes assessed against the Tenant Facilities. In addition, Tenant shall pay when due, all real property taxes, possessory interest taxes, and all other taxes, fees and assessments, if any, attributable to this Lease. The Contra Costa County Assessor imposes a mandatory possessory tax on occupants of all County and other publicly owned properties, as of the lien date of January 1 of each year. Tenant recognizes that under this Lease it may be considered by the Assessor to be the occupant of the Premises, and may be subject to this tax. If the Contra Costa Assessor does impose a tax or charge, Tenant is responsible for and shall immediately pay the tax or charge.

7. Access.

7.1 Tenant may access the Premises 24 hours a day, seven days a week. If County fails to provide the access granted by this Section 7, the sole remedy will be specific performance of this Lease.

7.2 At all times when accessing the Premises, Tenant shall cause its employees, agents, and subcontractors to conduct their activities in a manner that does not interfere with or disrupt County's or County's other tenants' operations at the Site.

8. Interference.

8.1 Tenant shall operate the Tenant Facilities in compliance with all Federal Communications Commission ("FCC") requirements including those prohibiting interference to communications facilities of County or other lessees or licensees of the Site as provided herein. Tenant acknowledges and agrees that County may grant a lease, license or other right to a third party for use of the Tower. Such use by a third party may

include constructing, maintaining, securing, and operating a communications facility, (a "Secondary Facility"). Tenant shall use good faith efforts to cause its equipment to not interfere with a Secondary Facility. In the event that the Tenant Equipment interferes with a Secondary Facility, or a Secondary Facility interferes with the Tenant Equipment, Tenant shall reasonably cooperate with the owner of the Secondary Facility to minimize such interference running in either direction. In the event that engineers for Tenant reasonably determine that no amount of reasonable cooperation will resolve an interference problem, the owner of the Secondary Facility will be required to make whatever changes are necessary to eliminate the interference. Tenant shall cooperate fully with the owner of a Secondary Facility in its efforts to eliminate interference, so that such owner may eliminate the interference at a lower cost as a result of such reasonable cooperation by Tenant. In the event interference between the Tenant Equipment and a Secondary Facility is eliminated and Tenant subsequently modifies its equipment in a way that interferes with such Secondary Facility, then Tenant shall use due diligence to eliminate the interference.

8.2 Tenant shall cause the Tenant Facility to not interfere with any existing equipment used by existing tenants of the Site, provided that such existing equipment is operating in compliance with laws. In the event that an existing tenant or a new tenant brings new equipment onto the Site or modifies its equipment such that it interferes with the Tenant Facility or it turns out that the Tenant Equipment interferes with the new equipment, Tenant shall reasonably cooperate with the other tenant to allow the other tenant to minimize such interference being caused by that tenant's modified or new equipment. In the event that Tenant modifies its Tenant Facilities in a way that interferes with another preexisting use of another tenant, then Tenant shall use due diligence to eliminate the interference. In the event that engineers for the Tenant and engineers for the other tenant reasonably determine that no amount of reasonable cooperation will resolve an interference problem, the party who made the change that precipitated the interference will need to make whatever changes are required to eliminate the interference. Tenant shall cooperate fully so that any other tenant who must eliminate interference may do so at a lower cost as the result of such reasonable cooperation by Tenant.

8.3 Tenant shall cause its equipment to not interfere with any existing equipment used by County at the Site. In the event that any Tenant Equipment interferes with equipment used by County, Tenant shall use due diligence to eliminate the interference.

## 9. Default and Right to Cure.

9.1 The following is a default by Tenant and a breach of this Lease: (i) non-payment of Rent when due, and (ii) Tenant's failure to perform any other term or condition under this Lease within thirty (30) days after receipt of written notice from County specifying the failure. A failure to cure a non-monetary default will not be deemed to exist if Tenant has commenced efforts to cure such default within the 30-day cure period, provided that such efforts are prosecuted to completion with reasonable diligence. Delay in curing a default will be excused if due to causes beyond the reasonable control of Tenant. If Tenant remains in default beyond any applicable cure

period, County has the right to exercise any and all rights and remedies available to it under law and equity, including termination of this Lease pursuant to Section 10, Termination.

9.2 The following is a default by County and a breach of this Lease: County's failure to provide Tenant access to the Premises within 24 hours of receipt of notice from Tenant, or to perform any term or condition under this Agreement within forty-five (45) days after receipt of written notice from Tenant specifying the failure. No such failure, however, will be deemed to exist if County has commenced to cure the default within such period and provided such efforts are prosecuted to completion with reasonable diligence. Delay in curing a default will be excused if due to causes beyond the reasonable control of County.

10. Termination. This Lease may be terminated by County with three days written notice for non-payment of Rent in accordance with California statutory due process of law.

10.1 For any other default by Tenant that continues beyond any applicable cure period, this Lease may be terminated by County with thirty days prior written notice.

10.2 This Lease may be terminated by County upon thirty days prior written notice to Tenant if Tenant is delinquent in paying Rent for any two months in any consecutive twelve-month period during the Term.

11. Damage or Destruction. If the Site or the Tenant Facility is damaged, destroyed, condemned or transferred in lieu of condemnation, Tenant may elect to terminate this Lease as of the date of the damage, destruction, condemnation or transfer by giving fifteen days prior notice to County. Notwithstanding the foregoing, County is not responsible for any acts of vandalism occurring on the Tenant Facility. Should any vandalism to the Tenant Facility occur, any repairs are the sole responsibility of the Tenant, and Tenant may not terminate this Lease without the prior written approval of the County. Furthermore, in the event of damage to the Tenant Facility due to acts of God, war, strikes, fires, floods, or power failures, Tenant acknowledges that County is not responsible for any repairs necessary to the Tenant Facility.

12. Condemnation. In the event County receives notification of any condemnation proceedings affecting the Site, County will provide notice of the proceeding to Tenant as soon as practicable. If a condemning authority takes all of the Site, or a portion sufficient, in Tenant's sole determination, to render the Premises unsuitable for Tenant, this Lease will terminate as to the part so taken as of the date the condemning authority takes title or possession, whichever occurs first. If as a result of a partial condemnation of the Site, Tenant, in Tenant's sole discretion, is unable to use the Site for the purposes intended hereunder, or such condemnation is reasonably expected to disrupt Tenant's operations at the Site for more than forty-five days, Tenant may terminate this Lease as of the date the condemning authority takes such possession. Tenant's option to terminate pursuant to this Section 12 must be exercised in writing within fifteen days after County gives Tenant written notice of the condemnation (or in absence of such notice, within fifteen days after

the condemning authority takes possession). The parties are each entitled to pursue their own separate awards in the condemnation proceedings, which for Tenant will include, where applicable, the depreciated value of its Tenant Facilities, moving expenses, prepaid Rent, and business dislocation expenses, provided that any award to Tenant does not diminish County's recovery.

13. Insurance and Indemnity.

13.1 Tenant shall purchase and maintain, at its own cost and expense, throughout the Term and until the Tenant Facility has been removed, the following commercial general liability and property damage policies as County may deem necessary. Such policies shall include, at a minimum, (i) "All Risk" property insurance for the Tenant Facility replacement cost; (ii) commercial general liability insurance with a minimum limit of liability of Two Million Five Hundred Thousand Dollars \$2,500,000 combined single limit for bodily injury or death/property damage arising out of any one occurrence; and (iii) Workers' Compensation Insurance as required by law. The coverage afforded by Tenant's commercial general liability insurance shall apply to County as an additional insured. Tenant shall provide County with a Certificate of Liability Insurance and evidence that Contra Costa County, its officers, agents, and employees have been named as additional insureds. Such Certificate of Liability Insurance must include a provision that insurers will provide written notice to County at least thirty calendar days before cancellation (ten days notice due to nonpayment).

13.2 Tenant shall indemnify, defend, and protect County and its respective officers, agents, and employees (the "Owner Parties") and hold the Owner Parties harmless from any claims, losses, damages, injuries, liabilities, penalties, forfeitures, violations, costs and expenses, including reasonable attorneys' fees (collectively, "Claims") caused by (i) any occurrence in, upon, at or about the Site; (ii) Tenant's occupancy, use, construction of or on the Premises; (iii) the operation of the business of the Tenant on the Site; and (iv) any act or failure to act, occasioned wholly or in part by Tenant, its agents, employees, or invitees. Nothing contained herein may be construed to make Tenant liable for any injury or loss caused by the negligence or willful misconduct of County or any agent, representative or employee of County.

13.3 Notwithstanding anything to the contrary in this Lease, Tenant and County each waives any claims that it may have against the other with respect to consequential, incidental or special damages.

13.4 The provisions of this Section 13 shall survive the expiration or earlier termination of this Lease.

14. Assignment and Subletting.

14.1 County may assign this Lease at any time by providing Tenant written notice of same.

14.2 Tenant may not assign this Lease or sublease the Premises, in whole or in part, without County's prior written consent. Notwithstanding the foregoing, this Lease may be sold, assigned or transferred by the Tenant without any approval or consent of County to any entity that acquires, through a merger or acquisition, all or substantially all of Tenant's assets in the market (as defined by the FCC) in which the Tenant Facility is located, provided Tenant gives written notice to County of any such merger or acquisition within thirty (30) days after the close of such merger or acquisition. Such written notice is to include the assignee's name and contact information. Tenant shall pay to County within forty-five (45) days of receipt of funds from each of its subtenants, one-third (1/3) of all rent received by Tenant from any subtenant. Such amount will be added to and considered to be a part of the Rent due from Tenant.

15. Maintenance and Improvements. Tenant may perform all work necessary to maintain the Premises for Tenant's communications operations. Prior to performing any work to add or remove Tenant Equipment to or from the Tower, Tenant shall submit to County, in writing, a description of the work Tenant desires to perform. County shall review the proposal within a reasonable period of time and will notify Tenant, in writing, of its decision to allow or not allow the work. Any work permitted by County is to be performed at Tenant's sole cost and expense and in a good and workmanlike manner. The County reserves the right to increase the Rent if additional Tenant Equipment is added to the Tower.

16. Ownership of Improvements.

16.1 The County Facility is the property of the County.

16.2 Title to the Tenant Vault will remain in Tenant until the expiration, cancellation, or other earlier termination of this Lease. Upon expiration, cancellation, or other earlier termination of this Lease, except as otherwise provided herein, title to the Tenant Vault will automatically vest in County and the Tenant Vault will remain on and will be surrendered with the Premises.

16.3 If County does not desire title to the Tenant Vault, County shall notify Tenant in writing as soon as practicable that the Tenant must remove the Tenant Vault from the Site. If so notified, Tenant must remove the Tenant Vault from the Site within one hundred twenty (120) days following the expiration, cancellation or earlier termination of this Lease. If Tenant fails to remove the Tenant Value, County may remove the Tenant Vault at Tenant's expense, and upon written demand by County, Tenant shall immediately reimburse County, in full, for all of the costs and expenses incurred by County in removing the Tenant Vault.

17. Ownership of Equipment.

17.1 The County Equipment is the property of the County.

17.2 Title to the Tenant Equipment will remain in the Tenant at all times during the Term. Subject to Section 15, Maintenance and Improvements, Tenant has the right to

remove any or all of its personal property from the Premises, provided that upon any such removal, Tenant repairs, at Tenant's expense, any damage that results from such removal and leaves the Site in a clean and neat condition.

17.3 If Tenant fails to remove any portion of the Tenant Equipment from the Premises within fourteen days after the expiration, cancellation, or termination of this Lease, Tenant's right, title and interest in any such equipment automatically transfers to County. If County does not desire title to any portion of the Tenant Equipment that remains on the Site, Lessor shall notify Tenant in writing as soon as practicable of the Tenant Improvements to be removed by Tenant (the "Excluded Equipment"). Tenant shall remove the Excluded Equipment, whether above or below ground, within one hundred twenty (120) days following the expiration, cancellation or earlier termination of this Lease.

18. Surrender of Possession. Upon the expiration, cancellation, or termination of this Lease, Tenant shall surrender to County the Premises and the Tenant Vault in good condition (ordinary wear and tear and destruction to the Premises covered by Section 11, Damage or Destruction, excepted), provided, however, if Tenant is required to remove the Tenant Vault and/or Excluded Equipment, Tenant shall surrender that portion of the Premises occupied by the Tenant Vault and/or the Excluded Equipment within one hundred twenty (120) days after the expiration, cancellation, or termination of this Lease in good condition (ordinary wear and tear and destruction to such Premises covered by Section 11, Damage or Destruction, excepted). If Tenant fails to surrender the Premises to County on expiration, cancellation, or termination of this Lease, Tenant shall defend, indemnify, and hold County harmless from any and all claims, liability, costs, and damages that result from Tenant's failure to surrender the Premises, including, without limitation, claims made by a succeeding tenant or renter.

19. Notices. All notices, requests, demands and other communications hereunder are to be given in writing and will be deemed given if personally delivered or mailed, certified mail, return receipt requested, or sent for next-business-day delivery by a nationally recognized overnight carrier to the following addresses:

If to Tenant, to:		If to County, to:
New Cingular Wireless PCS, LLC Attn: Network Real Estate Admin Re: Cell Site #CNU0075/CNU4845 Site Name: Concord (CA) RF Search Ring Name: Concord Fixed Asset No: 10087755 575 Morosgo Drive NE, Suite 13-F West Tower, Atlanta, GA 30324		Contra Costa County Public Works Department Real Estate Division 255 Glacier Drive Martinez, CA 94553 Attn: Principal Real Property Agent Telephone: (925) 313-2220
With a copy of the notice to:		
New Cingular Wireless PCS, LLC Attn: AT&T Legal Department		

Re: Cell Site #CNU0075/CNU4845 Site Name: Concord (CA) RF Search Ring Name: Concord Fixed Asset No: 10087755 206 S. Akard Street Dallas, TX 75202		
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A copy sent to the legal department is an administrative step that, by itself, does not constitute legal notice.

County or Tenant may from time to time designate any other address for this purpose by written notice to the other party. All notices hereunder will be deemed received upon actual receipt or refusal to accept delivery.

20. Miscellaneous.

20.1 If Tenant is requested by County to pay Rent to a payee other than County, County shall notify Tenant at least thirty (30) days in advance in writing of the payee's name and address.

20.2 If any provision of this Lease is invalid or unenforceable with respect to any party, the remainder of this Lease will remain binding upon the parties as though the unenforceable provision were not contained herein. However, if the invalid, illegal or unenforceable provision materially affects the Lease, then the Lease may be terminated by either party on ten business days' prior written notice to the other party hereto.

20.3 The terms and conditions of this Lease, which by their sense and context survive the termination, cancellation or expiration of this Lease, will so survive.

20.4 This Lease is governed by the laws of the State of California, and binds and inures to the benefit of the successors and permitted assignees of the respective parties. Venue for any litigation is Contra Costa County.

20.5 This Lease extends to and binds the heirs, personal representatives, successors and assigns of the parties hereto.

20.6 This Lease constitutes the entire agreement between the parties, and supersedes all understandings, offers, negotiations and other leases concerning the subject matter contained herein. There are no representations or understandings of any kind not set forth herein. Any amendments, modifications or waivers of any of the terms and conditions of this Lease must be in writing and executed by both parties.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

The parties are signing this Lease as of the date first above written.

**COUNTY:**

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

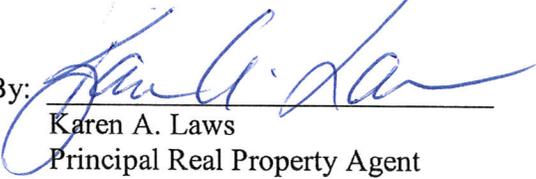
**TENANT:**

NEW CINGULAR WIRELESS PCS,  
LLC, a Delaware limited liability  
company

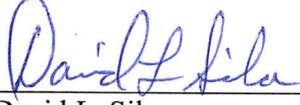
By: \_\_\_\_\_  
Julia R. Bueren  
Director of Public Works

By: AT&T Mobility Corporation  
Its: Manager

**RECOMMENDED FOR APPROVAL:**

By:   
Karen A. Laws  
Principal Real Property Agent

By:   
Name: Michael Guibord  
Director  
Title: Construction & Engineering

By:   
David L. Silva  
Supervising Real Property Agent

By:   
Name: Pat Hamb  
AVP  
Title: Construction & Engineering

APPROVED AS TO FORM:  
Sharon L. Anderson, County Counsel

By:   
Kathleen M. Andrus  
Deputy County Counsel

EXHIBIT A

A DRAWING OF THE SITE THAT SHOWS THE LOCATION OF THE BUILDING  
AND THE TOWER IS TO BE PRESENTED HERE OR ATTACHED HERETO





Contra  
Costa  
County

To: Board of Supervisors  
From: Chad Godoy, Director of Agriculture/Weights & Measures  
Date: April 12, 2016

Subject: #16-0094SA Weighmaster Program

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute Agreement #16-0094SA Weighmaster Program with the California Department of Food and Agriculture (CDFA) for reimbursement in an amount not to exceed \$3,120 to inspect recycling establishments licensed as weighmasters and determine compliance with Business and Professions Code Section 12703.1 for the period July 1, 2016 through June 30, 2017.

**FISCAL IMPACT:**

This agreement reimburses the department in an amount not to exceed \$3120 to inspect recycling establishments on behalf of the California Department of Food and Agriculture (CDFA) in Contra Costa County. There is no cost share requirement and the revenue from this agreement has been anticipated in the department's 16/17 budget.

**BACKGROUND:**

Common metals, precious metal and other recycler establishments involve CDFA licensed weighmasters. They are required to provide correct license application information and other information including the status of their weighmaster deputies. Transaction requirements also include thumb printing, photographic equipment, storm water permits and Weights & Measures sealed commercial weighing devices. This agreement will reimburse the department to perform inspections to verify compliance, document violations and take appropriate enforcement action.

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **04/12/2016**  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: April 12, 2016

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

Contact: 646-5250

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Failure to accept Agreement #16-00994SA will cause a loss of revenue to the department.

CHILDREN'S IMPACT STATEMENT:

No impact



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: April 12, 2016

Subject: Heritage Bank of Commerce Funding

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Workforce Development Board, to apply for and accept grant funding in an amount not to exceed \$20,000 from the Heritage Bank of Commerce for Small Business Development Center services to the low-to-moderate income population of Antioch for the period July 1, 2016 through June 30, 2017.

**FISCAL IMPACT:**

County to receive an amount not to exceed \$20,000 from the Heritage Bank of Commerce. (Match \$20,000)

**BACKGROUND:**

The Small Business Development Center (SBDC) will partner with the Heritage Bank of Commerce to serve the low-to-moderate income population in Antioch and surrounding areas of Far East Contra Costa County with no-cost small business advising and training with the goal of starting and growing micro-enterprises and small businesses. SBDC will support the key challenges of access to capital, building the capacity of the population to successfully leverage their businesses to increase sales, and create employment in the region.

**CONSEQUENCE OF NEGATIVE ACTION:**

Small Business Development Center services to the proposed Antioch population would be curtailed.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Elaine Burres,  
313-1717

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

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Amendment Agreement #29-532-3 with the California Department of Health Care Services

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute on behalf of the County Standard Agreement Amendment #29-532-3 with the California Department of Health Care Services effective May 15, 2016, with no change in the original amount of \$123,000 payable to County, to implement a budgetary shift of funds from one line item to another, with no change in the original term of September 29, 2015 through May 31, 2016.

**FISCAL IMPACT:**

None. There is no change in the funding payable to County in an amount not to exceed \$123,000 for the Strategic Prevention Framework State Incentive Grant (SPF SIG) Project, through May 31, 2016. No County match required.

**BACKGROUND:**

Due to a significant prevalence of underage and excessive drinking among 12 to 25 years old, the communities of Antioch and Walnut Creek were identified through a data-driven

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Cynthia Belon  
957-5201

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

By: , Deputy

cc: E Suisala, M Wilhelm

BACKGROUND: (CONT'D)

needs assessment process that compared County and State level indicators of substance abuse, its prevalence, and its consequences, and ultimately selected these two communities for the SPFSIG project. Through an established partnership with local law enforcement and elected officials in each of those communities, the County Alcohol and Other Drugs (AOD) prevention services engaged an existing system of care providers and residents through a Countywide Strategic Prevention Framework to develop a logic model that could assist in identifying priorities and build capacity based on specific cultural and AOD needs. The primary goal of the California's Strategic Prevention Framework State Incentive Grant will be to reduce underage and excessive drinking among youth and young adults' ages 12 to 25 years old, in the cities of Antioch and Walnut Creek, by implementing the County's Strategic Prevention Framework State Incentive Grant Project.

Approval of this Standard Agreement Amendment #29-532-3 will allow the California Department of Health Care Services to implement a budgetary shift of funds from one line item to another, effective May 15, 2016, and allow continuous funding for the Strategic Prevention Framework State Incentive Grant (SPF SIG) Project, through May 31, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the California Department of Health Care Services will not assume all rights, duties, obligation, responsibilities and liabilities of any type that accrue under Grant SPG SIG 12-06.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Amendment Agreement #29-502-38 with the Department of Health Care Services

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director or his designee, to execute, on behalf of the County, Standard Amendment Agreement #29-502-38 (State 14-90053, A03) with the Department of Health Care Services, effective July 1, 2015, to amend Standard Agreement #29-502-34 (as amended by Amendment Agreements #29-502-35, #29-502-36 and #29-502-37), to increase the amount payable to County by \$520,803, from \$30,503,985 to a new payment limit not to exceed in funding, \$31,024,788, with no change in the original term of July 1, 2014 through June 30, 2017.

**FISCAL IMPACT:**

Approval of this amendment agreement will result in an increase up to \$520,803 in funding to a new total of \$31,024,788 from the Department of Health Care Services. No County match required.

**BACKGROUND:**

The Standard Agreement #29-502 is a combined Negotiated Net Amount (NNA) and Drug/Medi-Cal contract. The NNA Agreement requires counties to provide Drug/Medi-Cal services up to their full State General Fund allocation for Drug/Medi-Cal match. If the required services exceed

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Cynthia Belon,  
925-957-5201

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

By: , Deputy

cc: J Pigg, M Wilhelm

BACKGROUND: (CONT'D)

the allocation, counties may access Drug/Medi-Cal reserve set aside for this purpose. On December 2, 2014, the Board of Supervisors approved Standard Agreement #29-502-34 (as amended by Amendment Agreements #29-502-35, #29-502-36 and #29-502-37), with the Department of Health Care Services, for the period from July 1, 2014 through June 30, 2017, to provide Substance Abuse Treatment services. Approval of this Standard (Amendment) Agreement #29-502-38, will increase funding and make technical adjustment to the budget for the Drug Medi-Cal Substance Abuse Treatment Services with no change in the original term, through June 30, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved the County will not be able to receive additional funds to support continuation of the Substance Abuse Services, Prevention and Treatment Program.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Amendment Agreement #29-502-39 with the Department of Health Care Services

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director or his designee, to execute, on behalf of the County, Standard Amendment Agreement #29-502-39 (State 14-90053, A04) with the Department of Health Care Services, effective July 1, 2016, to amend Standard Agreement #29-502-34 (as amended by Amendment Agreements #29-502-35, #29-502-36, #29-502-37 and #29-502-38), to increase the amount payable to County by \$1,807,056, from \$31,024,788 to a new payment limit not to exceed in funding, \$32,831,844, with no change in the original term of July 1, 2014 through June 30, 2017.

**FISCAL IMPACT:**

Approval of this amendment agreement will result in an increase up to \$1,807,056 in funding to a new total of \$32,831,844 from the Department of Health Care Services. No County match required.

**BACKGROUND:**

The Standard Agreement #29-502 is a combined Negotiated Net Amount (NNA) and Drug/Medi-Cal contract. The NNA Agreement requires counties to provide Drug/Medi-Cal services up to their full State General Fund allocation for Drug/Medi-Cal match. If the required services exceed

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Cynthia Belon,  
925-957-5201

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

By: , Deputy

cc: J Pigg, M Wilhelm

BACKGROUND: (CONT'D)

the allocation, counties may access Drug/Medi-Cal reserve set aside for this purpose. On December 2, 2014, the Board of Supervisors approved Standard Agreement #29-502-34 (as amended by Amendment Agreements #29-502-35, #29-502-36 and #29-502-37), with the Department of Health Care Services, for the period from July 1, 2014 through June 30, 2017, to provide Substance Abuse Treatment services. Approval of this Standard (Amendment) Agreement #29-502-38, will increase funding and make technical adjustment to the budget for the Drug Medi-Cal Substance Abuse Treatment Services with no change in the original term, through June 30, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved the County will not be able to receive additional funds to support continuation of the Substance Abuse Services, Prevention and Treatment Program.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Amendment Agreement #28-602-15 with the California Department of Public Health

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Amendment Agreement, #28-602-15 with the California Department of Public Health, Nutrition Education and Obesity Prevention Program, effective March 1, 2016, to make technical adjustments to fiscal year 2015-2016 budget to increase the total amount payable to County by \$181,557, from \$3,734,205, to a new total amount of \$3,915,763, with no change in the original term of October 1, 2013 through September 30, 2016.

**FISCAL IMPACT:**

Approval of this amendment agreement will result in an increase of \$181,557 to the 2014-2016 fiscal year budgets for the County's Nutrition and Physical Activity Promotion Project. No County match required.

**BACKGROUND:**

On February 25, 2014, the Board of Supervisors approved Standard Agreement #28-602-13 (as amended by Amendment Agreement #28-602-14) with the California Department of Public Health, for the California Nutrition Network"

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Daniel Peddycord  
(313-6712)

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

By: , Deputy

cc: J Pigg, M Wilhelm

BACKGROUND: (CONT'D)

Project for the period from October 1, 2013 through September 30, 2016. This Agreement provided nutrition education to Contra Costa County residents. The goal of the project is to educate the public, particularly low-income consumers, on healthful nutrition and physical activity practices to reduce risk for chronic disease.

Approval of Amendment Agreement #28-604-15 will allow continuous support to the Supplement Nutrition Assistance Program-Education (SNAP-Ed) eligible consumers in adopting healthy eating and physical activity behaviors, as part of a healthy lifestyle, through September 30, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the County will not receive funds to continue to educate SNAP-Ed eligible on healthful nutrition and physical activity practices, to help reduce risk for chronic disease.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: April 12, 2016

Subject: 2016 State of California Department of Alcoholic Beverage Control Grant

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to apply for and accept a grant from the California Department of Alcoholic Beverage Control, in an initial amount of \$101,571 to fund proactive enforcement targeting the unauthorized sale of alcoholic beverage by businesses within the County for the period July 1, 2016 through June 30, 2017.

**FISCAL IMPACT:**

Initial revenue of \$101,571 to support continued monitoring and licensing of Alcoholic Beverage Control(ABC) businesses, and to support training and other personnel costs associated with ABC licensed businesses. No matching County funds.

**BACKGROUND:**

This grant will provide the Office of the Sheriff additional staffing and resources to institute proactive enforcement and training of ABC licensed businesses in areas where the crime rate is higher than the county average. Enforcement operations will utilize a variety of methods to address sales to minors, unlicensed sales, sales to intoxicated persons, purchase of alcohol with food stamps, illegal gaming, and narcotics in licensed establishments. Expectations include a decline in alcohol related crimes and arrests, with an overall reduction in the number of police calls for service County-wide.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Sandra Brown  
925-335-1553

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The Sheriff-Coroner will not be authorized to apply for and accept the grant funding.

CHILDREN'S IMPACT STATEMENT:

One activity funded by this grant is targeting the unauthorized sale of alcohol to minors by businesses in the County.



Contra  
Costa  
County

To: Board of Supervisors  
From: Ed Woo, Chief Information Officer  
Date: April 12, 2016

Subject: Clarification of Term for November 17, 2015, Board Order Item #C.54 with Oracle America, Inc.

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**RECOMMENDATION(S):**

APPROVE clarification of Board action of November 17, 2015 (C.45), which authorized the Chief Information Officer or designee to execute an Executable Quote and Oracle Master Agreement with Oracle America, Inc., for PeopleSoft Enterprise license and support, to accurately reflect the correct contract term of November 24, 2015 through November 26, 2016, with no change change to the payment limit of \$480,728.

**FISCAL IMPACT:**

The \$480,727.04 is budgeted under Org #1695 FY 2014 - 2015 and FY 2015 - 2016, supported through countywide inter-departmental charges to all departments.

**BACKGROUND:**

The PeopleSoft Human Capital Management (HCM) system is currently used to process the County's payroll, in addition to maintaining Human Resources and Employee Benefits records. During the Fit Gap Analysis, it was proposed to implement additional functionality for certain HCM modules, which enable the County to streamline business processes.

This board order amends Board Order (C.54) approved by the Board of Supervisors on November 17, 2015 to correct the contract term of November 24, 2015 through November 26, 2016 for the Executable Quote and Oracle Master Agreement with Oracle America, Inc., with no change in the payment which was revised to \$480,728 by an action of the Board on January 5, 2016 (C.42).

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Fern Carroll,  
925-313-1228

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

In accordance with Administrative Bulletin No 611.0, County Departments are required to obtain Board approval for single item purchases over \$100,000. The County Administrator's Office has reviewed this request and recommends approval.

CONSEQUENCE OF NEGATIVE ACTION:

If the correction to term is not approved the County will be unable to pay the invoices under the Executable Quote.

ATTACHMENTS

Master Agreement

Executable Quote



**CONTRA COSTA COUNTY  
DoIT/TELECOMMUNICATIONS  
WORK REQUEST**

**Workorder #: A - 9390**

**1. Date: 1/26/2011 10:41:04 AM**

2. Department/Agency: <b>Conservation and Development - 341/357</b>		3. Requestor: <b>Justin Bergez</b>		4. Phone: <b>(925) 260-7514</b>	
5. Work Site Contact: <b>Justin Bergez</b>		6. Phone: <b>(925) 260-7514</b>	7. Pager/Cell#:	8. Alternate #:	
9. Location of Work Site Address, Room #, City: <b>651 Pine Street, 3NW, Martinez</b>				10. Zip:	

11. Address if different from work site:	12. Dept #: <b>280</b>	13. Org #: <b>2731</b>	14. Task:	15. Option:	16. Activity:
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17. Date Required:  Estimate  Voice Mail  Racking  
 Radio  Telephone  Data

Attach explanation of required completion dates: **Requesting Larry**

18. Description of Work Request: (Explain fully) (Select at least one of the above service types)

See Attachment

19. Attachment: <b>1-20-2011 POWER PLANT 1-A.pdf</b>	20. Manager's Comment:
	21. Mid-Manager's Comment:

22. Authorized Signature: <b>Laura Glass</b>	Date: <b>1/26/2011 10:45:02 AM</b>
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**DoIT Use Only**

DoIT Project Number: <b>28440</b>	Project Assigned by: <b>Ventura, Charisse</b>	Date: <b>3/29/2011 4:40:46 PM</b>
AT&T Number:		Due Date:
Assigned to: <b>Huddleston, Larry</b>	Date: <b>1/26/2011 2:59:07 PM</b>	Completed by: <b>Huddleston, Larry</b>
Completion Notes: <b>Project Complete - Refer to History for Notes</b>		Date: <b>3/29/2011 4:40:22 PM</b>





**EXECUTABLE QUOTE**

Oracle America, Inc.  
500 Oracle Parkway  
Redwood Shores, CA  
94065

**Your Name**                   CONTRA COSTA COUNTY  
**Your Location**           30 Douglas Drive  
                                  MARTINEZ  
                                  MARTINEZ  
                                  CA 94553, US

**Your Contact**  
**Phone Number**  
**Email Address**

Sheryl Webster  
925-313-1281  
Sheryl.Webster@doit.cccounty.us

License Summary	
Description / License Type	Quantity
Oracle User Productivity Kit Professional - Employee Perpetual	10250
Oracle User Productivity Kit Professional - UPK Developer Perpetual	1
PeopleSoft Enterprise Benefits Administration - Enterprise Employee Perpetual	11200
PeopleSoft Enterprise Human Resources - Enterprise Employee Perpetual	11200
PeopleSoft Enterprise Succession Planning - Enterprise Employee Perpetual	11200
PeopleSoft Enterprise UPK Human Resources (over 4K employees and/or over \$1 billion in revenue) - UPK Module Perpetual	1

License Migration			
Net to Net Existing Licenses (Terminated)	CSI	Quantity	Migrated Licenses (New)
Peoplesoft Enterprise Ebenefits - EMPLOYEE COUNT	14479713	3200	PeopleSoft Enterprise Human Resources - Enterprise Employee Perpetual
Peoplesoft Enterprise Ebenefits - Employee Count	14479713	8000	PeopleSoft Enterprise Human Resources - Enterprise Employee Perpetual
Peoplesoft Enterprise Eprofile - EMPLOYEE COUNT	14479713	3200	PeopleSoft Enterprise Human Resources - Enterprise Employee Perpetual
Peoplesoft Enterprise Eprofile - Employee Count	14479713	8000	PeopleSoft Enterprise Human Resources - Enterprise Employee Perpetual
Peoplesoft Enterprise Extended Enterprise License - Employee Count	14479713	8000	PeopleSoft Enterprise Human Resources - Enterprise Employee Perpetual
Peoplesoft Enterprise Human Resources - EMPLOYEE COUNT	14479713	3200	PeopleSoft Enterprise Human Resources - Enterprise Employee Perpetual
Peoplesoft Enterprise Human Resources - Employee Count	14485539	8000	PeopleSoft Enterprise Human Resources - Enterprise Employee Perpetual
Peoplesoft Upk Developer - NAMED USER	14479724	100	Oracle User Productivity Kit Professional - Employee Perpetual
Peoplesoft Upk Developer - REGISTERED NAMED USER	14479724	200	Oracle User Productivity Kit Professional - Employee Perpetual

License Migration			
Ratio Existing Licenses (Terminated)	CSI	Quantity	Migrated Licenses (New)
Peoplesoft Enterprise Human Resources - EMPLOYEE COUNT	14479713	3200	PeopleSoft Enterprise Succession Planning - Enterprise Employee Perpetual
Peoplesoft Enterprise Human Resources - Employee Count	14485539	8000	PeopleSoft Enterprise Succession Planning - Enterprise Employee Perpetual
Peoplesoft Enterprise Upk - Human Resources - NAMED USERS	14479724	100	PeopleSoft Enterprise UPK Human Resources (over 4K employees and/or over \$1 billion in revenue) - UPK Module Perpetual
Peoplesoft Upk Developer - NAMED USER	14479724	1	Oracle User Productivity Kit Professional - UPK Developer Perpetual

Net to Net Migrated Licenses (New)	Quantity	Net Credit	Net Fee
Oracle User Productivity Kit Professional - Employee Perpetual Software Update License & Support	10250	27,050.68	65,199.32 21,236.78
PeopleSoft Enterprise Human Resources - Enterprise Employee Perpetual Software Update License & Support	11200	391,999.61	50,764.00 115,253.48

Ratio Migrated Licenses (New)	Quantity	Net Fee
PeopleSoft Enterprise UPK Human Resources (over 4K employees and/or over \$1 billion in revenue) - UPK Module Perpetual Software Update License & Support	1	0.00 7,128.30
PeopleSoft Enterprise Succession Planning - Enterprise Employee Perpetual Software Update License & Support	11200	0.00 28,341.62
Oracle User Productivity Kit Professional - UPK Developer Perpetual Software Update License & Support	1	0.00 235.37

Programs and Program-Related Service Offerings		
Enterprise Programs		
Description / License Type	Quantity	Net Fee
PeopleSoft Enterprise Benefits Administration - Enterprise Employee Perpetual Software Update License & Support	11200	139,944.00 30,787.68
<b>Program and Program-Related Service Offerings Fees</b>		170,731.68

Other Fees	Quantity	Net Fee
Back Support Fee	1	21,836.49
<b>Other Fees</b>		21,836.49

Fee Description	Net Fee
Program Fees	139,944.00
Net to Net Migrated Licenses (New) License Fees	115,963.32
Net to Net Migrated Licenses (New) Support Fees	136,490.26
Program-Related Service Offerings Fees	30,787.68
Ratio Migrated Licenses (New) License Fees	0.00
Ratio Migrated Licenses (New) Support Fees	35,705.29
Other Fees	21,836.49
<b>Total Fees</b>	480,727.04

## **A. Agreement and Modifications to the Agreement**

### **1. Agreement**

This order incorporates by reference the terms of the Oracle Master Agreement **US-OMA-QT5714570** and all amendments and addenda thereto (the "Master Agreement"). The defined terms in the Master Agreement shall have the same meaning in this order unless otherwise specified herein.

### **2. Applicable Schedule(s)**

Programs and Program-Related Service Offerings are governed by Schedule P - Program.

## **B. General Terms**

### **1. Summary of Fees**

a. Listed above is a summary of net fees due under this order. All fees on this order are in US Dollars and are exclusive of any applicable shipping charges or applicable taxes.

b. You have ordered Hardware and/or Programs and 12 months of technical support services.

### **2. Territory**

The Program licenses included on this order are for use in the U.S.

### **3. Delivery and Installation**

a. You are responsible for installation of the Programs unless the Programs have been pre-installed by Oracle on the Hardware You are purchasing under the order or unless You purchase installation services from Oracle for those Programs.

b. Oracle has made available to you for electronic download at the electronic delivery web site located at the following Internet URL: <http://edelivery.oracle.com/exempt> the programs listed above. Through the Internet URL, you can access and electronically download to your CA location the current production release as of the effective date below of the software and related program documentation for each program listed above. You shall have 60 days from the effective date of this ordering document to complete the download of the software and program documentation. Please be advised that not all programs are available on all hardware/operating system combinations. For current program availability, please check the electronic delivery web site specified above. You acknowledge that Oracle is under no further delivery obligation under this ordering document, electronic download or otherwise. You agree to execute and return the attached Certificate of Electronic Delivery simultaneously with the execution and return of this ordering document.

Provided that you have continuously maintained technical support for the programs and in the licensed quantities listed above, Oracle will make available to you for electronic download the updates provided under technical support to the programs listed above.

Should you require a replacement copy of the software or program documentation, such replacement copy shall also be delivered electronically. You shall not be entitled to any replacement copy in the form of tangible media for the software or the program documentation.

You acknowledge and agree that (a) you have not received any tangible media for the programs listed above as of the effective date, (b) any rights to receive tangible media granted under the agreement shall not be applicable to or provided for the programs listed in above or any updates for these programs and (c) you are solely responsible for ensuring that tangible media is not ordered by you from Oracle for the programs listed above or any updates to these programs.

You acknowledge and agree that you have requested to receive all updates provided by Oracle under Oracle's Technical Support Services via electronic delivery and you are solely responsible for ensuring that you do not order tangible media from Oracle for the programs which you receive via electronic delivery. In the event that you order updates for delivery via tangible media shipment (i.e., shipment of CD Pack(s)), sales taxes and interest may be due and you agree to reimburse Oracle for any applicable sales taxes and interest (interest rate used will be the applicable state's rate on sales tax underpayments) related to acquisition of such updates as specified in the agreement.

### **4. Pricing Invoicing and Payment Obligation**

a. Once placed, Your order shall be non-cancelable and the sums paid nonrefundable, except as provided in the Master Agreement.

You may change a Hardware order prior to shipment subject to the then current change order fee as established by Oracle from time to time. The applicable change order fees and a description of allowed changes are defined in the Order and Delivery Policies, which may

be accessed at <http://oracle.com/contracts>.

b. Provided that you comply with the delivery terms in the Delivery and Installation Section of this ordering document, Oracle shall not invoice you for sales tax pursuant to CA tax law based on the net license fees and net technical support fees for the programs listed above and all updates to these programs delivered by electronic download; however, you agree to indemnify and hold Oracle harmless from and against any claims, losses, damages, costs, and expenses arising from imposition of sales tax based on the net license fees and net technical support fees listed above and any updates to these programs delivered by electronic download.

## **5. Fees**

Once placed, Your order shall be non-cancelable and the sums paid nonrefundable, except as provided in the Master Agreement.

## **6. Order of Precedence**

In the event of inconsistencies between the terms contained in this order and the Master Agreement, this order shall take precedence. This order will control over the terms contained in any purchase order.

## **7. Offer Validity**

This order is valid through **30-NOV-2015**, and shall become binding upon execution by You and acceptance by Oracle.

## **8. Oracle's License Definitions and Rules**

A copy of Oracle's Definitions and Licensing Rules is attached hereto and incorporated by reference. To fully understand Your license grant, You need to review the definition for the licensing metric and term designation as well as the licensing rules, which are listed below.

## **9. Customer Reference**

Oracle may refer to You as an Oracle customer of the ordered Products and Service Offerings in sales presentations, marketing vehicles and activities.

## **C. Other**

### **1. License Migration**

a. You agree to migrate licenses previously acquired to new license types and/or Program names in accordance with the license definitions and rules applicable to the new licenses. The existing licenses to be migrated are specified in the Ratio / Net to Net Existing Licenses (Terminated) column(s) above. These licenses are migrated to the number of licenses and license types specified in the Ratio / Net to Net Migrated Licenses (New) column(s) above. All existing licenses that are being migrated will be deemed terminated upon execution of this order.

b. The support fees due under this order shall be reduced by the amount of unused Software Update License & Support associated with the migrated existing licenses ("support"), provided the invoices for such support have been paid in full. The amount of unused support as of 23-NOV-2015 is US Dollars \$ 0.00 and represents an estimate of the support fee credit. The actual support fee reduction will be processed as of the effective date of this order.

### **2. License Summary**

The license summary section above provides a comprehensive list of the Program licenses that You have ordered pursuant to this order. The License Migration section(s) describe in further detail the Program licenses and associated fees.

### **3. Back Support Fee**

The back support fee amount as of 23-NOV-2015 is reflected in the table(s) located above Section A and represents an estimate of the back support fee. The actual back support fee will be processed as of the effective date of this order.

## **D. Future Purchases**

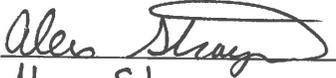
### **1. Expansion**

a. If You exceed Your licensed quantity You must order the Programs (and first year Software License Update & Support for the Programs) at the appropriate license and support fees specified on the attached Expansion Table A. The number of additional Program licenses to be ordered shall be equal to the actual number of Enterprise Employee as of the order date less the total number of licensed

quantity (under this order or other orders) rounded up to the next increment on the attached Expansion Table A.

b. Oracle has no delivery obligation for Program licenses ordered pursuant to this section..

c. The license definitions and program specific terms contained in the Order Specific License Definitions and Rules section within the attached Definitions and Licensing Rules will apply to program licenses ordered pursuant to this section.

<b>CONTRA COSTA COUNTY</b> Authorized Signature		Oracle America, Inc. Authorized Signature	
Name	<u>Ed WOO</u>	Name	<u>Alex Strayer</u>
Title	<u>Chief Information Officer</u>	Title	<u>License Manager</u>
Signature Date	<u>11/19/2015</u>	Signature Date	<u>24-NOV-2015</u>
Effective Date	( to be completed by Oracle )	<u>24-NOV-2015</u>	

*CAO: Julie Green*

**FORM APPROVED**  
Sharon L. Anderson, County Counsel

By Deputy   
Eric Gdston

**Expansion Table A**

Listed below is the license fee and first year Software Update License & Support fee for additional program licenses for the Oracle program listed under this ordering document with the license type "Enterprise Employee" that may be purchased pursuant to section D.1 of this ordering document:

<b>Product Description</b>		<b>License Fee/ Increment</b>	<b>First Year Software Update License &amp; Support/ Increment</b>	<b>Increment</b>
<b>PeopleSoft Enterprise Human Resources</b>	<b>Enterprise Employee</b>	<b>\$61,029.58</b>	<b>\$13,426.51</b>	<b>1,120</b>
<b>PeopleSoft Enterprise Succession Planning</b>				
<b>PeopleSoft Enterprise Benefits Administration</b>	<b>Enterprise Employee</b>	<b>\$13,994.40</b>	<b>\$3,078.77</b>	<b>1,120</b>

**Certificate of Electronic Delivery**

This Certificate of Electronic Delivery is executed as of the effective date set forth below by **CONTRA COSTA COUNTY** ("you") and relates to the electronic delivery of certain software programs provided by Oracle America, Inc. ("Oracle"). This Certificate of Electronic Delivery shall be governed by the terms of the **US-OMA-QT5714570** between You and Oracle dated 24-NOV-2015 and all amendments and addenda thereto (the "agreement").

As of the date of this Certificate of Electronic Delivery, You agree that Oracle has provided You with an Internet URL through which You can download all the programs provided in the ordering document between Oracle and You dated 24-NOV-2015 (the "ordering document"). You will have 60 days from the effective date of the ordering document to complete Your download of the programs provided.

You agree that Oracle has completed all of the delivery responsibilities required by the ordering document and the agreement and no additional shipment of the programs on tangible media (CD's, Disks, Tapes, etc.) shall be provided or is required.

The Effective Date of this Certificate of Electronic Delivery is 24-NOV-2015.

**CONTRA COSTA COUNTY**

**Signature**



**Name**

Ed WOOD

**Title**

Chief Information Officer

## License Definitions and Rules:

### A. Order Specific License Definitions and Rules

**Employee:** is defined as (i) all of Your full-time, part-time, temporary employees, and (ii) all of Your agents, contractors and consultants who have access to, use, or are tracked by the Programs. The quantity of the licenses required is determined by the number of Employees and not the actual number of users. In addition, if You elect to outsource any business function(s) to another company, the following must be counted for purposes of determining the number of Employees: all of the company's full-time employees, part-time employees, temporary employees, agents, contractors and consultants that (i) are providing the outsourcing services and (ii) have access to, use, or are tracked by the Programs.

**1, 2, 3, 4, 5 Year Terms:** A Program license specifying a 1, 2, 3, 4 or 5 Year Term shall commence on the effective date of the order and shall continue for the specified period. At the end of the specified period the Program license shall terminate.

**Enterprise Employee:** is defined as (i) all of Your full-time, part-time, temporary employees, and (ii) all of Your agents, contractors and consultants who have access to, use, or are tracked by the Programs. The quantity of the licenses required is determined by the number of Enterprise Employees and not the actual number of users. In addition, if You elect to outsource any business function(s) to another company, the following must be counted for purposes of determining the number of Enterprise Employees: all of the company's full-time employees, part-time employees, temporary employees, agents, contractors and consultants that (i) are providing the outsourcing services and (ii) have access to, use, or are tracked by the Programs. The value of these Program licenses is determined by the number of Enterprise Employees. For these Program licenses, the licensed quantity purchased must, at a minimum be equal to the number of Enterprise Employees as of the effective date of Your order. If at any time the number of Enterprise Employees exceeds the licensed quantity, You are required to order additional licenses (and technical support for such additional licenses) such that the number of Enterprise Employees is equal to or less than the number of licensed quantity. You are not entitled to any refund, credit or other consideration of any kind if there is a reduction in the number of Enterprise Employees. In addition, each year 90 days before the anniversary date of Your order, You are required to report to Oracle the number of Enterprise Employees as of such date.

**Term Designation:** If Your Program license does not specify a term, the Program license is perpetual and shall continue unless terminated as otherwise provided in the agreement.

**UPK Developer:** is defined as an individual authorized by You to use the Programs which are installed on a single server or multiple servers, regardless of whether the individual is actively using the Programs at any given time. UPK Developers may create, modify, view and interact with simulations and documentation.

**Oracle Financing Contract:** is a contract between You and Oracle (or one of Oracle's affiliates) that provides for payments over time of some or all of the sums due under Your order.

**Technical Reference Manuals ("TRMs"):** are Oracle's confidential information. You shall use the TRMs solely for Your internal data processing operations for purposes of: (a) implementing applications Programs, (b) interfacing other software and hardware systems to the applications Programs and (c) building extensions to applications Programs. You shall not disclose, use or permit the disclosure or use by others of the TRMs for any other purpose. You shall not use the TRMs to create software that performs the same or similar functions as any of Oracle products. You agree: (a) to exercise either at least the same degree of care to safeguard the confidentiality of the TRMs as You exercise to safeguard the confidentiality of Your own most important confidential information or a reasonable degree of care, whichever is greater; (b) to maintain agreements with Your employees and agents that protect the confidentiality and proprietary rights of the confidential information of third parties such as Oracle and instruct Your employees and agents of these requirements for the TRMs; (c) restrict disclosure of the TRMs to those of Your employees and agents who have a "need to know" consistent with the purposes for which such TRMs were disclosed; (d) maintain the TRMs at all times on Your premises; and (e) not to remove or destroy any proprietary or confidential legends or markings placed upon the TRMs. Oracle shall retain all title, copyright and other proprietary rights in the TRMs. TRMs are provided to You "as-is" without any warranty of any kind. Upon termination, You shall cease using, and shall return or destroy, all copies of the applicable TRMs.

**UPK Module:** is defined as the functional software component described in the product documentation.

**1 Year Subscription:** A Program license specifying a 1 Year Subscription shall commence on the effective date of the order and shall continue for a period of 1 year. At the end of the 1 year the Program license shall terminate.

**Applications National Language Support (NLS) Supplement Media Packs:** Please be advised that only a subset of the products included on an Applications NLS Supplement Media Pack have been translated. For existing supported customers, My Oracle Support has information on which products have been translated for the supported languages (<https://support.oracle.com>). For new or unsupported customers, please contact Your Oracle Account Manager for this information.

### B. You are responsible for ensuring that these restrictions are not violated:

Programs that contain "for Oracle Applications" in the Program name are limited use Programs. These limited use Programs may only be used with "eligible" Oracle application Programs that contain the following prefixes in the Program name: Oracle Fusion, Oracle Communications\*, Oracle Documaker, Oracle Endeca\*, Oracle Knowledge, Oracle Media, Oracle Retail\*, Oracle Enterprise Taxation\*, Oracle Tax, Oracle Utilities\*, Oracle Financial Services\*, Oracle FLEXCUBE, Oracle Reveleus, Oracle Mantas, Oracle Healthcare\*, Oracle Health Sciences, Oracle Argus, Oracle Legal, Oracle Insurance, Oracle Primavera, Oracle Hospitality, Oracle XBRI, and Oracle Relate. For those prefixes designated above with a "\*" not all Programs with that prefix are eligible for use with the "for Oracle Applications" limited use Programs. For a list of excluded Programs please review the Applications Licensing Table, which may be accessed at <http://oracle.com/contracts>. Notwithstanding anything above, Oracle Business Intelligence Suite Enterprise Edition Plus for Oracle Applications may only be used with "eligible" Oracle application Programs that contain "Oracle Fusion Human Capital Management" as a prefix in the Program name provided that the Oracle Fusion Human Capital Management Programs are the only Programs configured to run against the database instance Oracle Business Intelligence Foundation Suite for Oracle Applications may also be used with the Oracle Product Information Management Analytics, Fusion Edition, Oracle Customer Data Management Analytics, Fusion Edition and Oracle Product Lifecycle Analytics Programs. Oracle Business

Intelligence Foundation Suite for Oracle Applications may also be used with the following Programs provided that the Oracle Fusion Applications are the only data source: Oracle Sales Analytics, Fusion Edition; Oracle Partner Analytics, Fusion Edition; Oracle Supply Chain and Order Management Analytics; Oracle Financial Analytics, Fusion Edition; Oracle Procurement and Spend Analytics, Fusion Edition; Oracle Human Resources Analytics, Fusion Edition and Oracle Project Analytics. Any use of limited use Programs containing "for Oracle Applications" by other Oracle applications or third party applications is not permitted.

The number of Hyperion Program option licenses must match the number of licenses of the associated Hyperion Program.

### **C. Licensing Rules for Applications**

You are responsible for ensuring compliance with the application licensing prerequisites as specified in the Applications Licensing Table, which may be accessed at <http://oracle.com/contracts>.

### **D. Licensing Rules for JD Edwards Applications**

Your license for the program(s) may include additional license rights. Please review the additional license rights listed on the PeopleSoft / JD Edwards program table located at <http://oracle.com/contracts> for additional information.

The Programs include GNU libgmp library; copyright 1991 Free Software Foundation, Inc. This library is free software that can be modified and redistributed under the terms of the GNU Library General Public License contained in the Programs. The Programs may also contain other third party products.

### **E. Licensing Rules for PeopleSoft Applications**

Your license for the Program(s) may include additional license rights. Please review the additional license rights listed on the PeopleSoft / JD Edwards Program table located at <http://oracle.com/contracts> for additional information.

You may use PeopleTools – Restricted Development to develop interfaces and modifications, including creation of new application data tables, only to the PeopleSoft Enterprise Programs You have licensed. Oracle will deliver this Program to You per the delivery terms in Your order.

### **F. Licensing Rules for Programs Licensed per UPK Module**

Oracle grants to You a non-exclusive, nontransferable license for Your UPK Developer(s) to: (i) use those User Productivity Kit ("UPK") Programs licensed as UPK modules (collectively referred to as "UPK content") only as necessary to create and provide training solely for Employee and/or Application Users to use the underlying Programs for Your benefit; (ii) make an unlimited number of copies of the UPK content only as necessary to create and provide training solely to Employees and/or Application Users to use the underlying Programs for Your benefit; and (iii) develop modifications and customizations to the UPK content, if applicable, all subject to the terms and conditions set forth in this agreement, provided all copyright notices are reproduced as provided on the original. You represent and warrant that You have a valid license for the underlying Program(s). You are prohibited from reselling or distributing the UPK content to any other party or using the UPK content other than as explicitly permitted in this agreement. Oracle represents that the UPK content and any content created by You using the UPK content contains valuable proprietary information. Oracle retains title to all portions of the UPK content and any copies thereof. You shall use UPK content modifications created by You solely for Your internal use in accordance with the terms of this agreement. You may provide access to and use of the UPK content only to those third parties that are licensed as Application Users and that: (a) provide services to You concerning Your use of the UPK content; (b) have a need to use and access the UPK content; and (c) have agreed to substantially similar non-disclosure obligations imposed by You as those contained in this agreement. Application and Employee User(s) of UPK Programs may view and interact with simulations and documentation but may not create or modify simulations or documentation.



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: April 12, 2016

Subject: Approval of Extension of Time for Resources for Community Development to Commence and Complete Rehabilitation at Church Lane Apartments in San Pablo

---

**RECOMMENDATION(S):**

1. ACKNOWLEDGE and CONSENT to the delayed start and completion of the Church Lane Apartments rehabilitation project in San Pablo by Resources for Community Development using \$455,000 in Community Development Block Grant (CDBG) funds borrowed from the County. Construction start was delayed 40 days from December 31, 2015 to February 9, 2016 and completion is delayed from March 31, 2016 to May 31, 2016.
2. AUTHORIZE the Conservation and Development Director, or designee, to consent to future modifications to the completion of the Church Lane Apartments project, provided no dates are extended beyond six months of the original dates in the loan agreement.

**FISCAL IMPACT:**

No General Fund impact. CDBG funds are provided to the County on a formula allocation basis through the U.S. Department of Housing and Urban Development (HUD). CFDA #14.218.

**BACKGROUND:**

On October 7, 2014, the Board of Supervisors allocated \$455,000 in CDBG funds to Resources for Community Development (RCD) for the Church Lane Apartments project. The purpose of the Church Lane Apartments project is to improve 22 units of rental housing affordable to and occupied by very-low income families. On December 8, 2015, the Board approved the legal documents for this project, including the Amended and Restated CDBG and HOME Loan Agreement. The project involves the rehabilitation of the common areas, including the concrete covered walkways on the second, third and fourth floors.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Kristin Sherk,  
925-674-7887

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

RCD started the rehabilitation work on February 9, 2016, which was 40 days later than the anticipated start date due to heavy rains in December. The rehabilitation is underway, but was not completed by the March 31 completion date. During the construction work additional damage was discovered, including dry rot in the elevated walkways, that has delayed the completion date by two months or until May 31, 2016.

Delegating authority to the Director to consent to future requests to modify rehabilitation due dates will enable the Department to respond to any other unforeseen delays in a timely manner. In no event will any dates be extended beyond June 30, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

RCD will be in default under the Loan Agreement, and the project will be further delayed.

CHILDREN'S IMPACT STATEMENT:

The project helps to preserve existing affordable housing, which supports the Children's Impact Statement indicator #3: Families are Economically Self Sufficient.



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: April 12, 2016

Subject: Authorize Purchasing Agent to Issue Purchase Order

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Employment and Human Services Department (EHSD), Information Technology Unit, a purchase order with SSP Data, in the amount not to exceed \$199,906, to procure backups for servers and databases over the period of March 13, 2016 through March 12, 2017. (10% County; 45% State; 45% Federal)

**FISCAL IMPACT:**

\$199,906: 100% Administrative Overhead (10% County; 45% State; 45% Federal)

**BACKGROUND:**

In 2010, DoIT migrated their systems off tape backup. The new service will backup the data to a local repository (storage device) that is linked to a remote facility that keeps a copy of that storage device. This setup

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: V. Kaplan,  
313-1514

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

has been recommended as a County standard. EHSD adopted the DoIT standard for performance, reliability, and cost effectiveness. The backup system was procured in early 2011. EHSD Information Technology Unit's data needs have grown and as a result, they have two 50 Terabyte devices to support the department's backup and off-site storage needs.

CONSEQUENCE OF NEGATIVE ACTION:

The Employment and Human Services Department will be at risk of not meeting standards for performance, reliability and cost effectiveness. EHSD will also be at risk, in a disaster, of not being able to recover key data to continue operations.

CHILDREN'S IMPACT STATEMENT:

None.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Amendment #26-644-16 with MGA Healthcare, Inc.

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #26-644-16 with MGA Healthcare, Inc., a corporation, effective March 1, 2016, to amend Contract #26-644-15, to revise the rate schedule to include additional temporary work categories at Contra Costa Regional Medical Center and Health Centers (CCRMC) and to increase the payment limit by \$1,600,000, from \$1,000,000 to a new payment limit of \$2,600,000, with no change in the original term of January 1, 2016 through December 31, 2016.

**FISCAL IMPACT:**

This amendment is funded 100% Hospital Enterprise Fund I. Additional categories for laboratory services are included in the rate schedule. (Rate increase)

**BACKGROUND:**

On January 5, 2016, the Board of Supervisors approved Contract #26-644-15 with MGA Healthcare, Inc., for the provision of temporary pharmacists, pharmacy technicians, and specialty registered nurses CCRMC to provide coverage during peak loads, temporary absences and emergencies

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Anna Roth,  
925-370-5101

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

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

for the period from January 1, 2016 through December 31, 2016.

The Division is short staffed in the laboratory and requested to add additional work categories including clinical laboratory scientist, and cytotechnologist to the existing rate schedule to cover peak loads, temporary absences and emergencies.

Approval of Contract Amendment Agreement #26-644-16 will allow the Contractor to provide additional temporary laboratory service categories through December 31, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, Contractor will not be paid for additional temporary work services provided to Contra Costa Regional Medical Center.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: April 12, 2016

Subject: Emergency Services Software Support

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee to execute a contract with O3, Inc., in an amount not to exceed \$30,000 to provide the Emergency Services Unit with WebEOC software support for the term of April 1, 2016 through March 31, 2017.

**FISCAL IMPACT:**

100% County General Fund; Budgeted.

**BACKGROUND:**

The State adopted WebEOC as its standard for emergency management software. As such, counties were expected to use the software in order to communicate with the State in the event of emergencies. Contra Costa County licenses the software from ESI Acquisition, Inc. but needs assistance with customization, maintenance, and training. The purpose of this contract is for the contractor, O3, Inc., to maintain WebEOC on the County's computer server; to develop web applications (add-ons) to enhance the usability of the software; to provide training for the County and its partners; and to provide support in the event of either an emergency or computer/software problems.

The contract includes a provision obligating the County to indemnify O3, Inc. for claims arising out of the negligence of the County in performing its agreements with the software licensor, ESI Acquisition, Inc.

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- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Sandra Brown  
925-335-1553

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If a negative action is recommended on this contract, training for the County and its partners is not likely not happen; and necessary support in the event of either an emergency or computer/software problems will not be readily available.

CHILDREN'S IMPACT STATEMENT:

No impact.



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: April 12, 2016

Subject: Amend Contract with Julia Dyckman Andrus Memorial Inc.

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Julia Dyckman Andrus Memorial Inc., effective May 5, 2016, to increase the payment limit by \$36,765 for a new payment limit of \$133,170, for trauma awareness training services to EHSD California Work Opportunity and Responsibility and Welfare-to-Work staff for the period October 5, 2015 through October 31, 2016.

**FISCAL IMPACT:**

\$133,170: (Federal 84%, State 13%, County 3%) (CFDA #93.558, #16.738M)

**BACKGROUND:**

Contra Costa County, through its Contra Costa County Employment & Human Services Department (County), Zero Tolerance for Domestic Violence Initiative (ZTDVI), was awarded a three year Justice Assistance Grant (JAG) in order to implement the Youth Justice Initiative (YJI) in Contra Costa County. County is engaging Julia Dyckman Andrus Memorial, Inc., to assist in carrying out activities consistent with the funding application. The YJI applies innovative evidence-based practices to improve outcomes and to create a model for improved school engagement, successful

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Gina Chenoweth  
3-1648

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

prevention of juvenile justice involvement by youth, and recidivism reduction.

Julia Dyckman Andrus Memorial, Inc. provides technical assistance, on-going training, and other tools in order to implement a trauma-informed violence prevention model pilot in the Antioch Unified School District as well as provide trauma-informed practices and tools overall to YJI partners. YJI partners include Contra Costa County Probation, Contra Costa County District Attorney, Contra Costa County Public Defender, EHSD bureaus, and community-based agencies.

This amendment provides funding for additional trauma awareness training services to EHSD California Work Opportunity and Responsibility t Kids (CalWORKs) and Welfare-to-Work (WTW) staff. (19-985-1)

CONSEQUENCE OF NEGATIVE ACTION:

EHSD California Work Opportunity and Responsibility to Kids (CalWORKs) and Welfare-to-Work (WTW) staff will not be able to provide improved service delivery resulting from trauma awareness training.

CHILDREN'S IMPACT STATEMENT:

This contract supports all five of the community outcomes established in the Children's Report Card: 1)"Children ready for and succeeding in school"; 2)"Children and Youth Health and Preparing for Productive Adulthood"; 3)"Families that are Economically Self Sufficient"; 4)"Families that are Safe, Stable and Nurturing"; and 5)"Communities that are Safe and Provide a High Quality of Life for Children and Families", by providing trauma awareness training to EHSD staff as well as Youth Justice Initiative partners.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Contract #26-754-2 Care Review Resources, Inc.

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-754-2 with Care Review Resources, Inc., a corporation, in an amount not to exceed \$166,257, to provide health care consultation, technical assistance and chart review services to Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC) designated staff, for the period from March 1, 2016 through February 28, 2017.

**FISCAL IMPACT:**

This Contract is 100% funded Hospital Enterprise Fund I. (No rate increase)

**BACKGROUND:**

On April 14, 2015, the Board of Supervisors approved Contract #26-754-1 with Care Review Resources, Inc., for the provision of qualified health care consultation, technical assistance, and chart review services to CCRMC designated staff, including, but not limited to safety and performance, reporting methodologies regarding quality and performance improvement on core measures, and provide written recommendations to the Health Services Director on processes and outcomes,

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APPROVE

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RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Anna Roth,  
925-370-5101

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

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

for the period from February 15, 2015, through February 29, 2016. This requirement is a condition made by the Centers for Medicare and Medicaid Services on regulations and guidance for Hospital funding.

Approval of Contract #26-754-2 will allow the Contractor to continue to provide consultation and technical assistance through February 28, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not be able to participate in Medicaid and Medicare funding.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: Philip F. Kader, County Probation Officer  
Date: April 12, 2016

Subject: Contract Amedment with University of Cincinnati Research Institute (UCRI)

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Interim Chief Probation Officer, or designee, to execute a contract amendment with the University of Cincinnati Research Institute (UCRI), to increase the payment limit by \$42,000 to a new payment limit of \$200,000, for consulting services in the Juvenile Hall and to extend the term from June 30, 2016 to June 30, 2017.

**FISCAL IMPACT:**

The increased fiscal impact of \$42,000 will be covered 100% by the General Fund.

**BACKGROUND:**

In April 2014, with the assistance of the University of Cincinnati Research Institute (UCRI), Probation began addressing the challenges of 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 retained UCRI to develop 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 focused on providing incentives to juveniles to engage in positive behavior

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Danielle Fokkema,  
925-313-4195

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

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 towards 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 UCRI. The training focused on correctional institution practices. This contract amendment/extension is necessary for UCRI to provide enhanced training to Juvenile Hall staff as well as continued technical assistance.

CONSEQUENCE OF NEGATIVE ACTION:

Probation will be unable to continue to develop and implement their Core Corrections Program.

CHILDREN'S IMPACT STATEMENT:

This program supports the following community outcomes from the Children's Report Card: "Children are Healthy and Ready for School", "Youth Are Healthy and Preparing for Adulthood", and "Families and Communities Are Safe."



**Contra  
Costa  
County**

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Amendment #26-667-9 with World Courier Ground, Inc.

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #26-667-9 with World Courier Ground, Inc., a corporation, effective November 1, 2015, to amend Contract #26-667-5 (as amended by Amendment Agreement #26-667-7), to provide additional courier services, and increase the payment limit by \$40,000, from \$740,000 to a new payment limit of \$780,000, with no change in the original term of April 1, 2014 through March 31, 2017.

**FISCAL IMPACT:**

This amendment is funded 100% Hospital Enterprise Fund I. (Rate increase)

**BACKGROUND:**

On March 25, 2014, the Board of Supervisors approved Contract #26-667-5 (as amended by Amendment Agreement #26-667-7) with World Courier Ground, Inc. for the provision of courier services for Contra Costa Regional Medical and Contra Costa Health Centers, (CCRMC), for the period from April 1, 2014 through March 31, 2017, for pharmacy, laboratory and on-call courier services, including pick-up, transport and delivery of laboratory specimens, transmittals, x-rays and pharmacy

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Anna Roth,  
925-370-5101

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

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

medications. At the time of negotiations, the payment limit was based on target levels of utilization. However, the utilization during the term of the agreement was higher than originally anticipated due to additional clinic locations requesting service, which was provided, in good faith by the Contractor, and not included in the original contract fee schedule. Approval of Contract Amendment Agreement #26-667-7 will allow the Contractor to provide additional courier services to a variety of CCRMC and Health Centers through March 31, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, County will not receive additional courier services provided by this Contractor in good faith.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Contract #26-761-2 with Rawel Randhawa, M.D.

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-761-2 with Rawel Randhawa, M.D., an individual, in an amount not to exceed \$562,000, to provide gastroenterology services at Contra Costa Regional Medical Center and Health Centers (CCRMC) for the period from March 1, 2016 through February 28, 2018.

**FISCAL IMPACT:**

This Contract is funded 100% Hospital Enterprise Fund I. (No rate increase)

**BACKGROUND:**

On March 25, 2014, the Board of Supervisors approved Contract #26-761 (as amended by Amendment Agreement #26-761-1), with Rawel Randhawa, M.D. for the provision of gastroenterology services, including but not limited to: clinic coverage, on-call coverage, consultation and medical and/or surgical procedures at CCRMC through February 29, 2016. Approval of Contract #26-761-2 will allow the Contractor to continue to provide gastrointestinal services at CCRMC through February 28, 2018.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, patients requiring gastroenterology services at CCRMC will not have access to Contractor's services.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Samir Shah, M.D.,  
925-370-5525

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

By: , Deputy

cc: K Cyr, M Wilhelm

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Contract #74-462-3 with Indra Singh, M.D.

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-462-3 with Indra Singh, M.D., self-employed individual, in an amount not to exceed \$266,240, to provide outpatient psychiatric services for the period from May 1, 2016 through April 30, 2017.

**FISCAL IMPACT:**

This Contract is funded 100% by Mental Health Services Act. (No rate increase)

**BACKGROUND:**

On March 31, 2015, the Board of Supervisors approved Contract #74-462-2 with Indra Singh, M.D., for the period from May 1, 2015 through April 30, 2016 for the provision of diagnosing, counseling, evaluating, and providing medical and therapeutic treatment to County patients at the Central County Adult Mental Health Clinic.

Approval of Contract #74-462-3 will allow the Contractor to continue to provide outpatient psychiatric services to patients in Central County through April 30, 2017.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Cynthia Belon,  
925-957-5201

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

By: , Deputy

cc: D Morgan, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring outpatient psychiatric services in Central County will not have access to Contractor's services, which may result in a reduction in the overall levels of service to the community.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: University of the Pacific, Thomas J. Long School of Pharmacy and Health Services Unpaid Student Training Agreement #26-695-1

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Unpaid Student Training Agreement #26-695-1 with University of the Pacific, Thomas J. Long School of Pharmacy and Health Services, an educational institution, to provide supervised field instruction at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers to pharmacy students, for the period from April 1, 2016 through March 31, 2021.

**FISCAL IMPACT:**

None

**BACKGROUND:**

The purpose of this agreement is to provide University of the Pacific, Thomas J. Long School of Pharmacy and Health Services pharmacy students with the opportunity to integrate academic knowledge with applied skills at progressively higher levels of performance and responsibility. Supervised fieldwork experience for students is considered to be an integral part of both educational and professional preparation. The Health Services Department

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Dan Peddycord,  
313-6712

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

By: , Deputy

cc: D Morgan, M WILHELM

BACKGROUND: (CONT'D)

can provide the requisite field education, while at the same time, benefitting from the students' services to patients. On May 10, 2011, the Board of Supervisors approved Contract #26-695 with University of the Pacific, Thomas J. Long School of Pharmacy and Health Services for the provision of supervised fieldwork instruction experience for pharmacy students at CCRMC and Health Centers, for the period from April 1, 2011 through March 31, 2016.

Approval of Unpaid Student Training Agreement #26-695-1, will allow University of the Pacific, Thomas J. Long School of Pharmacy and Health Services pharmacy students to receive supervised fieldwork instruction experience, at Contra Costa Regional Medical Center and Contra Costa Health Centers through March 31, 2021.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the students will not receive supervised fieldwork instruction experience at Contra Costa Regional Medical Center and Contra Costa Health Centers.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: April 12, 2016

Subject: Amend Contract with National Council on Crime and Delinquency

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with National Council on Crime and Delinquency, a Non-Profit Corporation, effective April 1, 2016, increasing the payment limit by \$165,782 to a new payment limit not to exceed \$222,751 for the continued services of the Phase II Lethality Assessment Program Implementation for Domestic Violence Homicide Prevention for the period December 5, 2014 through September 30, 2016. (91% Federal, 9% State)

**FISCAL IMPACT:**

\$222,751: 91% Federal, Department of Justice Grant; 9% State, Assembly Bill 109. (CFDA #16.590, #16.320).

**BACKGROUND:**

The Zero Tolerance for Domestic Violence Initiative (ZTDVI) applied for and received funds from the US Department of Justice, Office on Violence against Women (OVW), Domestic Violence Homicide Prevention Demonstration ("Project") in 2013. The Project will be implemented in two phases - an assessment phase ("Phase I") and an implementation phase ("Phase II"). OVW completed Phase I in September 2014 and selected ZTDVI as one of four sites to participate in Phase II of the Project and implement the Lethality Assessment Program (LAP), a recognized promising practice. ZTDVI is engaging the Contractor to assist in carrying out activities consistent with the funding application.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: V. Kaplan,  
3-1514

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Valuable services will not be provided.

CHILDREN'S IMPACT STATEMENT:

None.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Contract #72-084 with Monument Impact

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #72-084 with Monument Impact, a non-profit organization, in an amount not to exceed \$247,575, to provide consultation, training, education and evaluation of programs and policies to limit the sale of flavored tobacco near schools for the period from September 1, 2015 through June 30, 2020.

**FISCAL IMPACT:**

This Contract is funded 100% by California Department of Public Health grant.

**BACKGROUND:**

Under this contract, Contractor will implement policy, system and environmental change efforts in Concord aimed at limiting the sale of flavored tobacco products near schools, parks and other youth sensitive areas.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Dan Peddycord  
313-6712

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

By: , Deputy

cc: D Morgan, M Wilhelm

BACKGROUND: (CONT'D)

The County's Tobacco Prevention Program received the "Achieving Tobacco-Related Health Equity Among California's Diverse Populations" grant from the California Department of Public Health. This grant required development and negotiation of a five year budget and scope of work for this subcontract as part of the larger project. This required extensive consultation with the subcontractor and the state to plan objectives and budgets for five years of program implementation and ensure adherence to the rules and regulations of the grantor. In order to meet the original contract term established by the funding agency (California Department of Public Health), the Division requests a retroactive start date of September 1, 2015. Approval of Contract #72-084 will allow Contractor to provide services through June 30, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County will not have access to Contractor's technical assistance and program support services to implement policy aimed at reducing and preventing the use of tobacco products among populations with high rates of smoking, and the County will not receive state funding.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: April 12, 2016

Subject: FY 2015 Hazard Mitigation Plan Update

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**RECOMMENDATION(S):**

ADOPT Resolution No. 2016/153 authorizing the Sheriff Coroner, or designee, to apply for and accept the U. S. Department of Homeland Security, 2015 Pre-Disaster Mitigation Grant, in an amount not to exceed \$150,000 for the update to the Contra Costa County Regional Hazard Mitigation Plan.

**FISCAL IMPACT:**

\$150,000. Up to an initial amount of \$112,500 in Federal Revenue and County initial in kind match of \$37,500.

**BACKGROUND:**

This grant will allow a comprehensive update to the Contra Costa County regional hazard mitigation plan. The goal is to reduce overall risk to the population and structures from future hazard events, while also reducing reliance on Federal funding in future disasters.

**CONSEQUENCE OF NEGATIVE ACTION:**

Negative action on this request will result in the inability to update the current Contra Costa County regional hazard mitigation plan.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Mary Jane Robb,  
925-335-1557

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.

2016/153

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

Adopted this Resolution on 04/12/2016 by the following vote:

**AYE:**   
**NO:**   
**ABSENT:**   
**ABSTAIN:**   
**RECUSE:**



**Resolution No. 2016/153**

IN THE MATTER OF: Applying for and accepting the U.S. Department of Homeland Security, 2015 Pre-Disaster Mitigation Grant.

WHEREAS the County of Contra Costa County is seeking funds available through the U.S. Department of Homeland Security;

NOW, THEREFORE IT BE RESOLVED that the Board of Supervisors: Authorizes the Sheriff-Coroner, Undersheriff or the Sheriff's Chief of Management Services, to execute for and on behalf of the County of Contra Costa, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining Federal financial assistance provided by the U.S. Department of Homeland Security.

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

**ATTESTED: April 12, 2016**

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

**Contact: Mary Jane Robb, 925-335-1557**

By: , Deputy

**cc:**



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Non-Financial Agreement #26-919 with Vizient, Inc.

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, non-financial Agreement #26-919 between Contra Costa County and Vizient, Inc., a non-profit corporation, to perform financial and clinical data sharing at Contra Costa Regional Medical Center and Contra Costa Health Centers, for the period from January 1, 2016 through December 31, 2016.

**FISCAL IMPACT:**

This is a non-financial agreement. No County match required.

**BACKGROUND:**

Contra Costa County Health Services and Vizient, Inc. have agreed to share data to improve Contra Costa Regional Medical Center and Contra Costa Health Center's clinical, operational and patient safety performance. The purpose of this agreement is to authorize Vizient, Inc. to deliver Contra Costa County data to University Healthcare Consortium (UHC) (a subcontractor to Vizient, Inc.) and to authorize Vizient Inc. to deliver Contra Costa Health Services Healthcare Engagement Network (HEN) data to Centers for Medicare and Medicare Services (CMS) as required by law.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Anna Roth,  
925-370-5101

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the County will not have access to shared data to improve Contra Costa Regional Medical Center and Contra Costa Health Center's clinical, operational and patient safety performance.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Contract #26-758-3 with the Regents of the University of California, on behalf of the University of California, San Francisco Medical Center

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-758-3 with the Regents of the University of California, on behalf of the University of California, San Francisco Medical Center, a California Constitutional corporation, in an amount not to exceed \$320,000, to provide remote neurology and neurovascular consultation services for patients at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC), for the period from January 1, 2016 through December 31, 2017.

**FISCAL IMPACT:**

This Contract is funded 100% Enterprise Fund I (Rate increase)

**BACKGROUND:**

On January 7, 2014, the Board of Supervisors approved Contract #26-758-1 (as amended by Contract Amendment #26-758-2) with UCSF to provide twenty-four hour a day, remote

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Samir Shah,  
370-5525

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

By: , Deputy

cc: D Morgan, M WILHELM

BACKGROUND: (CONT'D)

neurology and neurovascular consultation services for patients being treated in the Emergency Department or Inpatient Units at CCRMC, for the period from January 1, 2014 through December 31, 2015, including mutual indemnification.

Approval of Contract #26-758-3 will allow the Contractor to continue providing services to CCRMC through December 31, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, safety and effectiveness of emergency stroke care in the CCRMC Emergency Department will not be increased.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Ortho Clinic Diagnostics, Inc. Purchase Order

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**RECOMMENDATION(S):**

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute a Purchase Order with Ortho Clinic Diagnostics Inc., in the amount of \$124,192 for the purchase of an Ortho Vision Analyzer used in the Clinical Laboratory at the Contra Costa Regional Medical Center (CCRMC) for the period July 1, 2016 through June 30, 2020.

**FISCAL IMPACT:**

100% funding is included in the Hospital Enterprise Fund I Budget.

**BACKGROUND:**

Ortho Clinic Diagnostics, Inc. has the reagents and ID-Micro Typing system cards that can only be used on the Johnson & Johnson centrifuges and incubators. These products identify blood types and cross-match units of blood for transfusion and other surgical procedures. Upgrading to automation can cut down work up to half the time.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this Purchase Order is not approved, the CCRMC Clinical Laboratory will not be able to perform testing.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Anna Roth,  
370-5101

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

By: , Deputy

cc: Tasha Scott, Crystal Grayson, M Wilhelm



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Amendment #74-058-22 with Seneca Family of Agencies

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #74-058-22 with Seneca Family of Agencies, a non-profit corporation, effective April 1, 2016, to amend Novation Contract #74-058-21, to increase the payment limit by \$243,859, from \$6,801,137 to a new payment limit of \$7,044,996, with no change in the original term of July 1, 2015 through June 30, 2016, and to increase the automatic extension payment limit by \$121,930 from \$3,400,568 to a new payment limit of \$3,522,498, through December 31, 2016.

**FISCAL IMPACT:**

This Amendment is funded 46% Federal Financial Participation; 49% by Mental Health Realignment; 5% Mental Health Services Act. (No Rate increase)

**BACKGROUND:**

On December 15, 2015, the Board of Supervisors approved Novation Contract #74-058-21 with Seneca Family of Agencies for the period from July 1, 2015 through June 30, 2016, which included a six-month automatic extension through December 31, 2016, for the provision of

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Cynthia Belon,  
957-5201

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

By: , Deputy

cc: E Suisala, M Wilhelm

BACKGROUND: (CONT'D)

Mobile Crisis Response Teams for seriously emotionally disturbed (SED) children and their families.

Approval of Contract Amendment Agreement #74-058-22 will allow the Contractor to provide additional services through June 30, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, SED children throughout Contra Costa County will have reduced access to Specialty Mental Health Services.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Contract #27-633-13 with PerformRx, LLC

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-633-13 with PerformRx, LLC, a limited liability company, in an amount not to exceed \$95,000,000, to provide pharmacy administration services for the Contra Costa Health Plan, for the period from May 1, 2016 through April 30, 2017.

**FISCAL IMPACT:**

This Contract is funded 100% by Contra Costa Health Plan Enterprise Fund II. Actual costs will depend upon usage. (No rate increase)

**BACKGROUND:**

Both the State Department of Health Services and the Federal Centers for Medicare and Medicaid Services (CMS) require a Pharmacy Benefits Manager that can develop, maintain, and manage a large pharmacy network and monitor the correct dispensing of drug benefits, co-pays under multiple group product lines adhering to the

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Patricia Tanquary  
313-6004

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

By: , Deputy

BACKGROUND: (CONT'D)

required Health Plan Formulary and Health Plan Prior authorization protocol.

On April 21, 2015, the Board of Supervisors approved Contract #27-633-11 (as amended by Contract Amendment Extension Agreement #26-633-12) with PerformRx, LLC, for provision of pharmacy administration services for Contra Costa Health Plan members, including providing drug utilization review and management, prior authorization procedures, account management, member pharmacy call center, analysis and reporting services and developing partnerships with prescribers and pharmacies, for the period from May 1, 2015 through April 30, 2016.

Approval of Contract #27-633-13 will allow the Contractor to continue providing services through April 30, 2017. This contract includes mutual indemnification.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, contractor will not provide pharmacy administration services to Contra Costa Health Plan.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Amendment #24-682-31 with Victor Treatment Centers, Inc.

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #24-682-31 with Victor Treatment Centers, Inc., a non-profit corporation, effective April 1, 2016, to amend Novation Contract #24-682-30, to modify the Service Plan and rate sheet to include case management services, with no change in the original Payment Limit of \$260,000, no change in the original term of July 1, 2015 through June 30, 2016, and no change in the six-month automatic extension amount of \$130,000 through December 31, 2016.

**FISCAL IMPACT:**

This amendment is funded 50% Federal Financial Participation; 50% County Realignment which includes a Case Management rate of \$2.02 to the revised rate sheet. (No rate increase)

**BACKGROUND:**

On December 8, 2015, the Board of Supervisors approved Novation Contract #24-682-30 with Victor Treatment Centers, Inc., for the provision of outpatient services to seriously emotionally disturbed youth at the Center's

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Cynthia Belon  
957-5101

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

By: , Deputy

cc: E Suisala, M Wilhelm

BACKGROUND: (CONT'D)

three locations, Santa Rosa, Redding and Lodi/Stockton, for the period from July 1, 2015 through June 30, 2016, which included a six-month automatic extension through December 31, 2016.

Approval of Contract Amendment Agreement #24-682-31 will allow the Contractor to provide case management services in addition to outpatient services, through June 30, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, seriously emotionally disturbed youth from Contra Costa County will not have adequate access to residential treatment facilities.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Amendment #26-745-5 with Medical Solutions, LLC (dba Nebraska Medical Solutions Staffing, LLC)

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #26-745-5 with Medical Solutions, LLC, (dba Nebraska Medical Solutions Staffing, LLC), a Limited Liability Corporation, effective March 15, 2016, to amend Contract #26-745-2, (as amended by Amendment Agreement #26-745-4) to increase the original payment limit by \$900,000 from \$1,600,000 to a new contract payment limit of \$2,500,000 for the provision of additional hours of temporary staffing services with no change in the original term of July 1, 2015 through June 30, 2016.

**FISCAL IMPACT:**

This amendment is funded 100% Hospital Enterprise Fund I. (No rate increase)

**BACKGROUND:**

On May 12, 2015, the Board of Supervisors approved Contract #26-745-2 (as amended by Amendment Agreement #26-745-4) with Medical Solutions, LLC, (dba Nebraska Medical Solutions Staffing, LLC) for the provision of temporary registered nurses, nurse practitioners, surgical technicians, and physician assistants to provide coverage during peak workloads, temporary absences

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Anna Roth,  
925-370-5101

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

By: , Deputy

cc: K Cyr

BACKGROUND: (CONT'D)

and emergency situations at CCRMC, and the County's Detention Facilities, for the period from July 1, 2015 through June 30, 2016.

Approval of Contract Amendment Agreement #26-745-5 will allow the Contractor to provide additional hours of temporary staffing services due to increased utilization through June 30, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, Contractor will not be able to provide additional hours of temporary services to CCRMC and County's Detention Facilities through June 30, 2016.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: April 12, 2016

Subject: APPROVAL OF HOUSING OPPORTUNITIES FOR PERSONS WITH HIV/AIDS LEGAL DOCUMENTS FOR THE TABORA GARDENS APARTMENTS IN ANTIOCH

---

**RECOMMENDATION(S):**

APPROVE the following actions related to making a loan of \$650,000 in Housing Opportunities for Persons with HIV/AIDs (HOPWA) funds to Tabora Gardens L.P. to plan and develop the Tabora Gardens Apartments project in Antioch:

1. FIND, as the responsible agency, that the Notice of Exemption prepared by the City of Antioch, as the lead agency, is adequate for purposes of compliance with the California Environmental Quality Act;
2. APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute required legal documents to effect the loan;
3. DIRECT the Conservation and Development Director, or designee, to file a Notice of Exemption for this project with the County Clerk;
4. DIRECT the Conservation and Development Director, or designee, to arrange for payment of the \$50 handling fee to the County Clerk for filing such Notice of Exemption; and
5. ALLOCATE up to an additional \$10,000 in HOPWA funds to cover County expenses related to legal review and development monitoring.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: 04/12/2016  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: April 12, 2016

Contact: Kara Douglas  
674-7880

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

By: , Deputy

cc:

### FISCAL IMPACT:

No General Fund impact. HOPWA funds are provided to the County on a formula allocation basis through the City of Oakland CFDA# 14.241.

### BACKGROUND:

On February 26, 2013, the Board of Supervisors allocated \$200,000 of Neighborhood Stabilization Program (NSP), and \$800,000 of Summer Lake Trust funds to Satellite Affordable Housing Associates (SAHA) for the Tabora Gardens Apartment development. On February 25, 2014, the Board of Supervisors allocated \$650,000 of HOPWA funds, \$700,000 of HOME Investment Partnerships Act (HOME), and an additional \$350,000 in NSP and \$200,000 in Summer Lake Trust funds. Through this Board action, the Board is requested to approve legal documents for the HOPWA loan, and an additional \$10,000 in HOPWA funds to be used for County staff costs. The Board will be requested to approve additional legal documents for the remaining funds at a later date. The HOPWA funds are needed earlier than the other funds to pay for pre-development costs. In addition, the HOPWA funds were awarded from 2012 and 2013 funding contracts and need to be expended prior to the expiration of the County HOPWA contracts with the City of Oakland.

The purpose of the Tabora Gardens Apartment development is to improve the supply of multi-family rental housing affordable to and occupied by lower income senior households in East County through the construction of a 84 unit apartment building in Antioch.

Five of the units will be designated as HOPWA units, four units will be designated as NSP units, eight units will be designated as Summer Lake Trust units, and 18 units (including the other County units) will be designated HOME-assisted units. All of the County-assisted units will be affordable to households earning less than 50 percent of the area median income.

SAHA has formed a limited partnership, Tabora Gardens, L.P. to develop and own this project. Satellite AHA Development, Inc. is the General Partner with a SAHA affiliate as the initial limited partner. The ultimate limited partner will be the tax credit investor. HOPWA funds will be used for predevelopment activities. The loan is due on the earlier of December 31, 2016, or the date of construction loan closing. The intent is for the HOPWA loan to be included with the loan documents for HOME, NSP and Summer Lake Trust funds. That loan is expected to close in summer 2016.

Additional financing for the development includes \$3,283,755 in City of Antioch funds (former redevelopment agency, Community Development Block Grant and NSP), \$5.2 million in Veteran's Housing, \$6.9 million in State Multi-family Housing, \$12.2 million in four percent low income housing tax credits, and a \$24 million in tax exempt bonds (the County will be the bond issuer).

Due to the high construction costs and limited revenue from the restricted rents, the total amount of the financing provided to the project will likely exceed the value of the completed project. Even though the proposed equity investment from low income housing tax credits is substantial compared to the amount of long term debt, the partnership agreement will have numerous safe guards of the investors equity. These safe guards essentially subordinate the County's debt to the investor's equity. Therefore, the County funds may not be fully secured through the value of the property. Though the County loans out the HOPWA funds it receives from the federal government, the County does not need to repay the federal government when loans are not repayed.

National Environmental Policy Act (NEPA): HOPWA projects are subject to NEPA and 24 CFR Part 58 review. The NEPA review for this project has been completed. Required mitigations are included in the loan agreement.

County Counsel has approved to form the following attached documents:

- HOPWA Loan Agreement
- Promissory Note
- Deed of Trust with Assignment Of Rents, Security Agreement, And Fixture Filing

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval and execution of the HOPWA and other loan documents, the project will not be constructed. SAHA must close on all financing by September 2016, or its \$36 million in bond and tax credit financing will be lost.

ATTACHMENTS

CEQA Notice of Exemption

Tabora HOPWA LOAN Agreement

HOPWA Deed of Trust

HOPWA Promissory Note - Tabora

CALIFORNIA ENVIRONMENTAL QUALITY ACT  
**Notice of Exemption**

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

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

County Clerk  
County of: Contra Costa

**Project Title:** Tabora Gardens

**Project Applicant:** Satellite Affordable Housing Associates

**Project Location – Specific:** Southeast corner of Tabora Drive and James Donlon Boulevard, Antioch APN 072-011-062

**Project Location – City:** Antioch

**Project Location – County:** Contra Costa  
**County Project Number:** CP 16-15

**Description of Nature, Purpose and Beneficiaries of Project:**

The project involves the new construction of 85 units of affordable housing for seniors. The County is loaning \$700,000 in HOME funds, \$650,000 in HOPWA funds, \$550,000 in NSP funds, and \$1,100,000 in Summer Lake Trust funds.

**Name of Public Agency Approving Project:** Contra Costa County  
**Name of Person or Agency Carrying Out Project:** Satellite Affordable Housing Associates

**Exempt Status:**

- |   |  |
|---|--|
| <input type="checkbox"/> Ministerial Project (Sec. 21080(b) (1); 15268;     | <input type="checkbox"/> Categorical Exemption, Type and section no.:                    |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a));   | <input checked="" type="checkbox"/> Other Statutory Exemption, Code no.: 15194 and 15195 |
| <input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269(b)(c)); | <input type="checkbox"/> General Rule of Applicability                                   |

**Reasons why project is exempt:**

The project is an Affordable Housing Project pursuant to Sec 15194 and Residential In-fill pursuant to Sec 15195.

Responsible Agency Contact Person: Kara Douglas Area Code/Telephone/Extension: 925-674-7880  
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: *Kara Douglas* Date: 3/24/16 Title: Principal Planner

- Signed by Responsible 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:**

Name: SAHA Housing  
Address: 1835 Alcatraz Ave,  
Berkeley, CA 94703  
Contact: Kara Douglas  
Kara.douglas@dcd.cccounty.us

**Department of Fish and Game Fees Due**

- EIR - \$2,919.00  
 Neg. Dec. - \$2,101.50  
 DeMinimis Findings - \$0  
 **County Clerk - \$50**  
 **Conservation & Development - \$25**

Total Due: \$ \_\_\_\_\_

Total Paid \$ \_\_\_\_\_

Receipt #:

HOPWA LOAN AGREEMENT  
Tabora Gardens Senior Apartments

This HOPWA Loan Agreement (the "Agreement") is dated April 1, 2016, and is between the County of Contra Costa, a political subdivision of the State of California (the "County"), and Tabora Gardens, L.P., a California limited partnership ("Borrower").

RECITALS

A. Defined terms used but not defined in these recitals are as defined in Article 1 of this Agreement.

B. The County has received Housing Opportunities for Persons with AIDS Program funds from the United States Department of Housing and Urban Development ("HUD") pursuant to the HOPWA Program ("HOPWA Funds"). The HOPWA Funds are available to and administered by the County, as a subrecipient of the City of Oakland, which is the representative for the Alameda-Contra Costa County Eligible Metropolitan Area. The HOPWA Funds must be used by the County in accordance with 24 C.F.R. Section 574 et seq.

C. Borrower intends to acquire that certain real property located at the southeast corner of Tabora Drive and James Donlon Blvd. (Assessor's Parcel No. 072-011-062) in the City of Antioch, County of Contra Costa, State of California, as more particularly described in Exhibit A (the "Property"). Borrower intends to construct eighty-five (85) senior housing units on the Property, eighty-four (84) of which will be for rental to extremely low and very low income households, and one (1) manager's unit (the "Development"). The Development, as well as all landscaping, roads and parking spaces on the Property and any additional improvements on the Property, are the "Improvements".

D. Borrower desires to borrow from the County Six Hundred Fifty Thousand Dollars (\$650,000) of HOPWA Funds (the "Loan").

E. The Loan is evidenced by the Note and is secured by the Deed of Trust.

F. The Loan is being made to finance predevelopment costs of the Development. Construction of the Development is intended to maintain the supply of affordable rental housing in Contra Costa County. Due to the assistance provided Borrower through the Loan, the County is designating five (5) units as HOPWA-assisted units (the "HOPWA-Assisted Units").

G. The City has determined the Development to be categorically exempt pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.) ("CEQA").

H. In accordance with the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321-4347) ("NEPA"), the County has completed and approved all applicable environmental review for the activities proposed to be undertaken under this Agreement.

The parties therefore agree as follows:

AGREEMENT

ARTICLE 1 DEFINITIONS AND EXHIBITS

Section 1.1 Definitions.

The following terms have the following meanings:

- (a) "Agreement" means this HOPWA Loan Agreement.
- (b) "Approved Development Budget" means the proforma predevelopment and development budget, including sources and uses of funds, as approved by the County, and attached hereto and incorporated herein as Exhibit B.
- (c) "Borrower" has the meaning set forth in the first paragraph of this Agreement.
- (d) "CDLAC" means the California Debt Limit Allocation Committee.
- (e) "CEQA" has the meaning set forth in Paragraph G of the Recitals.
- (f) "City" means the City Antioch, California, a municipal corporation.
- (g) "Construction Closing" means the date upon which all of the following has occurred: (i) escrow closes for all financing necessary for the construction of the Improvements, and (ii) any deeds of trust related to such financing are recorded against the Property.
- (h) "County" has the meaning set forth in the first paragraph of this Agreement.
- (i) "Deed of Trust" means the Deed of Trust with Assignment of Rents, Security Agreement, and Fixture Filing of even date herewith among Borrower, as Trustor, Old Republic Title Company, as trustee, and the County, as beneficiary, that will encumber the Property to secure repayment of the Loan and performance of the covenants of the Loan Documents.
- (j) "Default Rate" means the lesser of the maximum rate permitted by law and ten percent (10%) per annum.
- (k) "Development" has the meaning set forth in Paragraph C of the Recitals.
- (l) "Event of Default" has the meaning set forth in Section 5.1.
- (m) "Hazardous Materials" means: (i) any substance, material, or waste

that is petroleum, petroleum-related, or a petroleum by-product, asbestos or asbestos-containing material, polychlorinated biphenyls, flammable, explosive, radioactive, freon gas, radon, or a pesticide, herbicide, or any other agricultural chemical, and (ii) any waste, substance or material defined as or included in the definition of "hazardous substances," "hazardous wastes," "hazardous materials," "toxic materials", "toxic waste", "toxic substances," or words of similar import under any Hazardous Materials Law.

(n) "Hazardous Materials Claims" means with respect to the Property (i) any and all enforcement, cleanup, removal or other governmental or regulatory actions instituted, completed or threatened against Borrower or the Property pursuant to any Hazardous Materials Law; and (ii) all claims made or threatened by any third party against Borrower or the Property relating to damage, contribution, cost recovery compensation, loss or injury resulting from any Hazardous Materials.

(o) "Hazardous Materials Law" means any federal, state or local laws, ordinances, or regulations relating to any Hazardous Materials, health, industrial hygiene, environmental conditions, or the regulation or protection of the environment, and all amendments thereto as of this date and to be added in the future and any successor statute or rule or regulation promulgated thereto.

(p) "HOPWA-Assisted Units" has the meaning set forth in Paragraph F of the Recitals.

(q) "HOPWA" means the Housing Opportunities for Persons with AIDS Program pursuant to the AIDS Housing Opportunity Act (42 USC 12901 et seq.), as amended by the Housing and Community Development Act of 1992 (42 USC 5301 et seq.).

(r) "HOPWA Eligible Household" means a household that includes at least one Person with HIV/AIDS.

(s) "HOPWA Funds" has the meaning set forth in Paragraph B of the Recitals.

(t) "HOPWA Term" means the period beginning on the date of this Agreement and ending on the tenth (10th) anniversary of the date of this Agreement.

(u) "HUD" has the meaning set forth in Paragraph B of the Recitals.

(v) "Improvements" has the meaning set forth in Paragraph C of the Recitals.

(w) "Loan Documents" means this Agreement, the Note, and the Deed of Trust.

(x) "Loan" has the meaning set forth in Paragraph D of the Recitals.

(y) "NEPA" has the meaning set forth in Paragraph H of the Recitals.

(z) "Note" means the promissory note of even date herewith that

evidences Borrower's obligation to repay the Loan.

(aa) "Persons with HIV/AIDS" has the meaning set forth in the Regulatory Agreement.

(bb) "Predevelopment Activities" means the activities related to the Development that are performed by Borrower prior to Construction Closing, including but not limited to preparation of funding applications, design, engineering, and planning costs.

(cc) "Predevelopment Costs" has the meaning set forth in Section 2.3.

(dd) "Property" has the meaning set forth in Paragraph C of the Recitals.

(ee) "Regulatory Agreement" means the Regulatory Agreement and Declaration of Restrictive Covenants between the County and Borrower that will (i) regulate the use and occupancy of the Development, and (ii) be recorded against the Property at Construction Closing. The form of the Regulatory Agreement will be provided by the County.

(ff) "Subsequent Loan" means a loan from the County to Borrower that may be approved or denied in the County's sole discretion and, if approved, will be (i) used for the development of the Improvements and (ii) funded at Construction Closing.

(gg) "Subsequent Loan Documents" means the loan agreement, promissory note, deed of trust, Regulatory Agreement, and any other document evidencing, or entered into by and between the County and Borrower regarding the Subsequent Loan.

(hh) "TCAC" means the California Tax Credit Allocation Committee.

(ii) "Tenant" means the tenant household that occupies a unit in the Development.

(jj) "Term" means the period of time that commences on the date of this Agreement, and expires, unless sooner terminated in accordance with this Agreement, on the earlier of: (i) December 31, 2016, and (ii) the date of the Construction Closing.

(kk) "Transfer" has the meaning set forth in Section 3.17 below.

#### Section 1.2 Exhibits

The following exhibits are attached to this Agreement and incorporated into this Agreement by this reference:

- Exhibit A: Legal Description of the Property
- Exhibit B: Approved Development Budget
- Exhibit C: NEPA Mitigation Requirements

## ARTICLE 2 LOAN PROVISIONS

### Section 2.1 Loan.

Upon satisfaction of the conditions set forth in Section 2.5 of this Agreement, the County shall lend to Borrower the Loan for the purposes set forth in Section 2.3 of this Agreement. Borrower's obligation to repay the Loan is evidenced by the Note.

### Section 2.2 Interest.

(a) Loan. Subject to the provisions of subsection (b) below, no interest will accrue on the outstanding principal balance of the Loan.

(b) Default Interest. Upon the occurrence of an Event of a Default, interest on the outstanding principal balance of the Loan will begin to accrue, beginning on the date of such occurrence and continuing until the date the Loan is repaid in full or the Event of Default is cured, at the Default Rate.

### Section 2.3 Use of Loan Funds.

Borrower shall use the Loan to finance the expenses incurred in connection with the Predevelopment Activities consistent with the Approved Development Budget (the "Predevelopment Costs"). Predevelopment Costs include HOPWA-eligible costs incurred by Borrower in connection with the Development prior to the date of this Agreement. Any HOPWA Funds not disbursed pursuant to Section 2.5 to finance Predevelopment Costs may be disbursed pursuant to the Subsequent Loan Documents for construction costs consistent with the Approved Development Budget. Borrower may not use the Loan proceeds for any other purposes without the prior written consent of the County.

### Section 2.4 Security.

In consideration of the Loan, Borrower shall secure its obligation to repay the Loan, as evidenced by the Note, by executing the Deed of Trust, and cause or permit it to be recorded as a lien against the Property.

### Section 2.5 Conditions Precedent to Disbursement of Loan Funds for Predevelopment Costs.

The disbursements for Predevelopment Costs may not exceed the Loan amount. The County is not obligated to disburse any portion of the Loan for Predevelopment Costs, or to take any other action under the Loan Documents unless all of the following conditions have been and continue to be satisfied:

(a) There exists no Event of Default nor any act, failure, omission or condition that would constitute an Event of Default under this Agreement;

(b) Borrower holds title to the Property or is acquiring title to the Property

simultaneously with the disbursement of the Loan proceeds;

(c) Borrower has delivered to the County a copy of a corporate resolution authorizing Borrower to obtain the Loan and execute the Loan Documents;

(d) There exists no material adverse change in the financial condition of Borrower from that shown by the financial statements and other data and information furnished by Borrower to the County prior to the date of this Agreement;

(e) Borrower has furnished the County with evidence of the insurance coverage meeting the requirements of Section 3.18 below;

(f) Borrower has executed and delivered to the County the Loan Documents and has caused all other documents, instruments, and policies required under the Loan Documents to be delivered to the County;

(g) The Deed of Trust has been recorded against the Property in the Office of the Recorder of the County of Contra Costa;

(h) A title insurer reasonably acceptable to the County is unconditionally and irrevocably committed to issuing a 2006 ALTA Lender's Policy of title insurance insuring the priority of the Deed of Trust in the amount of the Loan, subject only to such exceptions and exclusions as may be reasonably acceptable to the County, and containing such endorsements as the County may reasonably require. Borrower shall provide whatever documentation (including an indemnification agreement), deposits or surety is reasonably required by the title company in order for the County's Deed of Trust to be senior in lien priority to any mechanics liens in connection with any start of construction that has occurred prior to the recordation of the Deed of Trust against the Property in the Office of the Recorder of the County of Contra Costa;

(i) All environmental review necessary for the construction of the Development has been completed, and Borrower has provided the County evidence of planned compliance with all NEPA and CEQA requirements and mitigation measures applicable to construction, and evidence of compliance with all NEPA and CEQA requirements and mitigation measures applicable to preconstruction;

(j) The County has determined the undisbursed proceeds of the Loan, together with other funds or firm commitments for funds that Borrower has obtained in connection with the Development, are not less than the amount the County determines is necessary to pay for the construction of the Development and to satisfy all of the covenants contained in this Agreement; and

(k) The County has received a written draw request from Borrower, including: (i) certification that the condition set forth in Section 2.5(a) continues to be satisfied; (ii) certification that the proposed uses of funds is consistent with the Approved Development Budget; (iii) the amount of funds needed; and, (iv) where applicable, a copy of the bill or invoice covering a cost incurred or to be incurred. When a disbursement is requested to pay any contractor in connection with Improvements, the written request must be accompanied

by: (1) certification by Borrower's architect reasonably acceptable to the County that the work for which disbursement is requested has been completed (although the County reserves the right to inspect the Property and make an independent evaluation); and (2) lien releases and/or mechanics lien title insurance endorsements reasonably acceptable to the County.

#### Section 2.6 Repayment Schedule.

(a) Payment in Full of Loan. Subject to Sections 2.6(b), Borrower shall pay all outstanding principal and accrued interest on the Loan, in full, on the earliest to occur of: (i) any Transfer other than as permitted pursuant to Section 3.17; (ii) an Event of Default; and (iii) the expiration of the Term.

(b) Subsequent Loan. If a Subsequent Loan is approved by the County and Subsequent Loan Documents are executed by the parties and if all, or any portion, of the Subsequent Loan is then funded, then (i) this Agreement will terminate, (ii) the Note will be cancelled and replaced with the promissory note associated with the Subsequent Loan, (iii) the Loan will be combined with the Subsequent Loan for purposes of repayment, (iv) the deed of trust associated with the Subsequent Loan will supersede in its entirety the Deed of Trust, (v) Borrower will execute the Regulatory Agreement; and (vi) thereafter the Loan will be repaid in accordance with the terms of the Subsequent Loan Documents. The County has no obligation to provide Borrower the Subsequent Loan.

(c) Prepayment. Borrower may prepay the Loan at any time without premium or penalty. However, the Regulatory Agreement and the Deed of Trust will remain in effect for the entire Term, regardless of any prepayment or Transfer.

#### Section 2.7 Non-Recourse.

Except as provided below, neither Borrower, nor any partner of Borrower, has any direct or indirect personal liability for payment of the principal of, and interest on, the Loan. Following recordation of the Deed of Trust, the sole recourse of the County with respect to the principal of, or interest on, the Note will be to the property described in the Deed of Trust; provided, however, that nothing contained in the foregoing limitation of liability limits or impairs the enforcement of all the rights and remedies of the County against all such security for the Note, or impairs the right of County to assert the unpaid principal amount of the Note as demand for money within the meaning and intent of Section 431.70 of the California Code of Civil Procedure or any successor provision thereto. The foregoing limitation of liability is intended to apply only to the obligation to repay the principal and interest on the Note. Except as hereafter set forth; nothing contained herein is intended to relieve Borrower of its obligation to indemnify the County under Sections 3.10(b)(vi), 3.11, and 6.4 of this Agreement, or liability for: (i) loss or damage of any kind resulting from waste, fraud or willful misrepresentation; (ii) the failure to pay taxes, assessments or other charges which may create liens on the Property that are payable or applicable prior to any foreclosure under the Deed of Trust (to the full extent of such taxes, assessments or other charges); (iii) the fair market value of any personal property or fixtures removed or disposed of by Borrower other than in accordance with the Deed of Trust; and (iv) the misappropriation of any proceeds under any insurance policies or awards resulting from condemnation or the exercise of the power of eminent domain or by reason of damage, loss or destruction to any portion of the Property.

## ARTICLE 3 LOAN REQUIREMENTS

### Section 3.1 TCAC and CDLAC Applications.

(a) Within thirty (30) days of the execution of this Agreement Borrower shall submit timely and complete applications to CDLAC for a tax exempt bond allocation and to TCAC for a reservation of 4% tax credits.

(b) Upon award of the reservation of tax credits from TCAC, Borrower shall exercise diligent good faith efforts to obtain a funding commitment from a reputable equity investor reasonably acceptable to the County. The County shall review and reasonably approve or disapprove of the submitted equity information within ten (10) days after submission. If the County disapproves the equity investor or funding commitment, it shall specify in writing the reasons for such disapproval. The County shall not disapprove the equity investor if such investor is a well-established investor in low income housing tax credit projects. The County shall not disapprove the equity funding commitment if the pricing of the credits in the commitment is commensurate with other equity financing currently provided in the low income housing tax credit market for projects similar to the Development and is consistent with the Approved Development Budget.

### Section 3.2 Approved Development Budget; Revisions to Budget.

As of the date of this Agreement, the County has approved the Approved Development Budget set forth in Exhibit B which includes the Predevelopment Costs and the percentage of each such line item to be funded by the Loan. Borrower shall submit any amendments to the Approved Development Budget to the County for approval within five (5) days after the date Borrower receives information indicating that actual costs of the Development vary or will vary from the costs shown on the Approved Development Budget. Written consent of the County will be required to amend the Approved Development Budget.

### Section 3.3 Information.

Borrower shall provide any information reasonably requested by the County in connection with the Development, including (but not limited to) any information required by HUD in connection with Borrower's use of the Loan funds.

### Section 3.4 Progress Reports; Periodic Development Evaluation.

During the performance of the Predevelopment Activities Borrower shall on the first day of each month of the Term, and from time to time as reasonably requested by the County, provide the County with written progress reports regarding the status of the performance of the Predevelopment Activities.

### Section 3.5 Borrower Supervision of Predevelopment Activities.

Borrower is solely responsible for all aspects of Borrower's conduct in connection with

the performance of the Predevelopment Activities, including (but not limited to) the quality and suitability of the plans and specifications, the supervision of work, and the qualifications, financial condition, and performance of all architects, engineers, contractors, subcontractors, suppliers, and consultants. Any review or inspection undertaken by the County with reference to the Predevelopment Activities and the Improvements is solely for the purpose of determining whether Borrower is properly discharging its obligations to the County, and should not be relied upon by Borrower or by any third parties as a warranty or representation by the County as to the quality of the design or construction of the Improvements.

Section 3.6 Compliance with Laws.

Borrower shall comply with all applicable laws, ordinances, rules and regulations of federal, state, county or municipal governments or agencies now in force or that may be enacted hereafter, including (without limitation and where applicable) the prevailing wage provisions of Sections 1770 et seq., of the California Labor Code and implementing rules and regulations, in owning the Property, and performing the Predevelopment Activities.

Section 3.7 Equal Opportunity.

During the performance of the Predevelopment Activities, there will be no discrimination on the basis of race, color, creed, religion, age, sex, sexual orientation, marital status, national origin, ancestry, or disability in the hiring, firing, promoting, or demoting of any person engaged in the work.

Section 3.8 Records.

(a) Borrower shall keep and maintain at the principal place of business of Borrower set forth in Section 6.9 below, or elsewhere with the County's written consent, full, complete and appropriate books, records and accounts relating to the Development. Borrower shall cause all books, records and accounts relating to its compliance with the terms, provisions, covenants and conditions of this Agreement to be kept and maintained in accordance with generally accepted accounting principles consistently applied, and to be consistent with requirements of this Agreement. Borrower shall cause all books, records, and accounts to be open to and available for inspection and copying by HUD, the County, its auditors or other authorized representatives at reasonable intervals during normal business hours. Borrower shall cause copies of all tax returns and other reports that Borrower may be required to furnish to any government agency to be open for inspection by the County at all reasonable times at the place that the books, records and accounts of Borrower are kept. Borrower shall preserve such records for a period of not less than five (5) years after their creation in compliance with all HUD records and accounting requirements. If any litigation, claim, negotiation, audit exception, monitoring, inspection or other action relating to the use of the Loan is pending at the end of the record retention period stated herein, then Borrower shall retain the records until such action and all related issues are resolved. Borrower shall cause the records to include all invoices, receipts, and other documents related to expenditures from the Loan funds. Borrower shall cause records to be accurate and current and in a form that allows the County to comply with the record keeping requirements contained in 24 C.F.R. 574.450 and 24 C.F.R. 574.530. Such records are to include but are not limited to:

(i) Records providing a full description of the activities undertaken with the use of the Loan funds;

(ii) Records demonstrating that each activity undertaken with the HOPWA Funds meets one of the eligible activities of the HOPWA program set forth in 24 C.F.R. Section 574.300 and 24 C.F.R. Section 574.310;

(iii) Records demonstrating compliance with the HUD property standards and lead-based paint requirements including the property standards of 24 C.F.R. Section 574.310(b) and the lead-based paint requirements of 24 C.F.R. Section 574.635;

(iv) Records documenting compliance with the fair housing, equal opportunity, and affirmative fair marketing requirements;

(v) Financial records as required by 2 C.F.R. Part 200, and during the HOPWA Term, financial records and other documents necessary to document compliance with the requirements of 24 C.F.R. Part 574 et seq;

(vi) Records demonstrating compliance with the HOPWA marketing, tenant selection, affordability, and income requirements;

(vii) Records demonstrating compliance with MBE/WBE requirements;

(viii) Records demonstrating compliance with 24 C.F.R. Part 135 which implements Section 3 of the Housing Development Act of 1968;

(ix) Records demonstrating compliance with applicable relocation requirements, which must be retained for at least five (5) years after the date by which persons displaced from the property have received final payments;

(x) Records demonstrating compliance with labor requirements including certified payrolls from Borrower's general contractor evidencing that applicable prevailing wages have been paid; and

(xi) Records documenting compliance with the supportive service requirements of 24 C.F.R. Section 574.310(a)(1).

(b) The County shall notify Borrower of any records it deems insufficient. Borrower has fifteen (15) calendar days after the receipt of such a notice to correct any deficiency in the records specified by the County in such notice, or if a period longer than fifteen (15) days is reasonably necessary to correct the deficiency, then Borrower must begin to correct the deficiency within fifteen (15) days and correct the deficiency as soon as reasonably possible.

### Section 3.9

### County Audits.

(a) Each year, Borrower shall provide the County with a copy of Borrower's

annual audit, which is to include information on all of Borrower's activities and not just those pertaining to the Development. Borrower shall also follow the applicable audit requirements of 2 C.F.R. Part 200 and the additional audit requirements set forth in 24 C.F.R. 574.650.

(b) In addition, the County may, at any time, audit all of Borrower's books, records, and accounts pertaining to the Development including but not limited to the Residual Receipts of the Development. Any such audit is to be conducted during normal business hours at the principal place of business of Borrower and wherever records are kept. Immediately after the completion of an audit, the County shall deliver a copy of the results of the audit to Borrower.

(c) If it is determined as a result of an audit that there has been a deficiency in a loan repayment to the County then such deficiency will become immediately due and payable, with interest at the Default Rate from the date the deficient amount should have been paid.

### Section 3.10 HOPWA Requirements.

(a) Borrower shall comply with all applicable laws and regulations governing the use of the HOPWA Funds, as set forth in 24 C.F.R. Part 574 et. seq. In the event of any conflict between this Agreement and applicable laws and regulations governing the use of the Loan funds, the applicable laws and regulations govern. During the HOPWA Term, these requirements are federal requirements, implemented by the County; thereafter, these requirements are deemed local County requirements.

(b) The laws and regulations governing the use of the Loan funds include (but are not limited to) the following:

(i) Environmental and Historic Preservation. 24 C.F.R. Part 58, which prescribes procedures for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4361), and the additional laws and authorities listed at 24 C.F.R. 58.5;

(ii) Applicability of Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. The applicable policies, guidelines, and requirements of 2 C.F.R. Part 200;

(iii) Debarred, Suspended or Ineligible Contractors. The prohibition on the use of debarred, suspended, or ineligible contractors set forth in 24 C.F.R. Part 24;

(iv) Civil Rights, Housing and Community Development, and Age Discrimination Acts. The Fair Housing Act (42 U.S.C. 3601 et seq.) and implementing regulations at 24 C.F.R. Part 100; Title VI of the Civil Rights Act of 1964 as amended; Title VIII of the Civil Rights Act of 1968 as amended; Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended; Section 504 of the Rehabilitation Act of 1973 (29 USC 794, et seq.); the Age Discrimination Act of 1975 (42 USC 6101, et seq.); Executive Order 11063 as amended by Executive Order 12259 and implementing regulations at 24 C.F.R. Part 107; Executive Order 11246 as amended by Executive Orders

11375, 12086, 11478, 12107; Executive Order 11625 as amended by Executive Order 12007; Executive Order 12432; Executive Order 12138 as amended by Executive Order 12608;

(v) Lead-Based Paint. The requirement of the Lead-Based Paint Poisoning Prevention Act, as amended (42 U.S.C. 4821 et seq.), the Residential Lead-Based Paint Hazard Reduction Act (42 U.S.C. 4851 et seq.), and implementing regulations at 24 C.F.R. Part 35;

(vi) Relocation. The requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601, et seq.), and implementing regulations at 49 C.F.R. Part 24; Section 104(d) of the Housing and Community Development Act of 1974 and implementing regulations at 24 C.F.R. 42 et seq.; 24 C.F.R. 574.630; and California Government Code Section 7260 et seq. and implementing regulations at 25 California Code of Regulations Sections 6000 et seq. If and to the extent that development of the Development results in the permanent or temporary displacement of residential tenants, homeowners, or businesses, then Borrower shall comply with all applicable local, state, and federal statutes and regulations with respect to relocation planning, advisory assistance, and payment of monetary benefits. Borrower shall prepare and submit a relocation plan to the County for approval. Borrower is solely responsible for payment of any relocation benefits to any displaced persons and any other obligations associated with complying with such relocation laws. Borrower shall indemnify, defend (with counsel reasonably chosen by the County), and hold harmless the County against all claims that arise out of relocation obligations to residential tenants, homeowners, or businesses permanently or temporarily displaced by the Development;

(vii) Discrimination against the Disabled. The requirements of the Fair Housing Act (42 U.S.C. 3601 et seq.) and implementing regulations at 24 C.F.R. Part 100; Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and federal regulations issued pursuant thereto, which prohibit discrimination against the disabled in any federally assisted program, the requirements of the Architectural Barriers Act of 1968 (42 U.S.C. 4151-4157) and the applicable requirements of Title II and/or Title III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.), and federal regulations issued pursuant thereto;

(viii) Clean Air and Water Acts. The Clean Air Act, as amended, 42 U.S.C. 7401 et seq., the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq., and the regulations of the Environmental Protection Agency with respect thereto, at 40 C.F.R. Part 1500, as amended from time to time;

(ix) Uniform Administrative Requirements. The provisions of 24 C.F.R. 574.650 regarding cost and auditing requirements;

(x) Housing Quality Standards. The housing quality standards set forth in 24 C.F.R. Section 574.310(b);

(xi) Supportive Services. The supportive service requirements of 24 C.F.R. Section 574.310(a)(1). Borrower shall procure services to satisfy such service requirements;

(xii) Training Opportunities. The requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u ("Section 3"), requiring that to the greatest extent feasible opportunities for training and employment be given to lower income residents of the project area and agreements for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in, the areas of the project. Borrower agrees to include the following language in all subcontracts executed under this Agreement:

(1) The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

(2) The parties to this contract agree to comply with HUD's regulations in 24 C.F.R. Part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the Part 135 regulations.

(3) The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause; and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference; shall set forth minimum number and job titles subject to hire; availability of apprenticeship and training positions; the qualifications for each; the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

(4) The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 C.F.R. Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 C.F.R. Part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 C.F.R. Part 135.

(5) The contractor will certify that any vacant employment positions, including training positions, that are filled (A) after the contractor is selected but before the contract is executed, and (B) with persons other than those to whom the regulations of 24 C.F.R. Part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 C.F.R. Part 135.

(6) Noncompliance with HUD's regulations in 24 C.F.R. Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

(7) With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 and section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

(xiii) Drug Free Workplace. The requirements of the Drug Free Workplace Act of 1988 (P.L. 100-690) and implementing regulations at 24 C.F.R. Part 24;

(xiv) Anti-Lobbying; Disclosure Requirements. The disclosure requirements and prohibitions of 31 U.S.C. 1352 and implementing regulations at 24 C.F.R. Part 87;

(xv) Historic Preservation. The historic preservation requirements set forth in the National Historic Preservation Act of 1966, as amended (16 U.S.C. Section 470) and the procedures set forth in 36 C.F.R. Part 800. If archeological, cultural, or historic period resources are discovered during construction, all construction work must come to a halt and Borrower shall immediately notify the County. Borrower shall not shall alter or move the discovered material(s) until all appropriate procedures for "post-review discoveries" set forth in Section 106 of the National Historic Preservation Act have taken place, which include, but are not limited to, consultation with the California State Historic Preservation Officer and evaluation of the discovered material(s) by a qualified professional archeologist;

(xvi) Religious Organizations. If Borrower is a religious organization, as defined by the HOPWA requirements, Borrower shall comply with all conditions prescribed by HUD for the use of HOPWA Funds by religious organizations, including the First Amendment of the United States Constitution regarding church/state principles and the applicable constitutional prohibitions set forth in 24 C.F.R. 574.300(c);

(xvii) Violence Against Women. The requirements of the Violence Against Women Reauthorization Act of 2013 (Pub. L. 113-4, 127 Stat. 54) applicable to HUD-funded programs; and

(xviii) HUD Regulations. Any other HUD regulations present or as may be amended, added, or waived in the future pertaining to the Loan funds.

### Section 3.11 Hazardous Materials.

(a) Borrower shall keep and maintain the Property (including but not limited to, soil and ground water conditions) in compliance with all Hazardous Materials Laws and may not cause or permit the Property to be in violation of any Hazardous Materials Law. Borrower may not cause or permit the use, generation, manufacture, storage or disposal of

on, under, or about the Property or transportation to or from the Property of any Hazardous Materials, except such of the foregoing as may be customarily used in construction of projects like the Development or kept and used in and about residential property of this type.

(b) Borrower shall immediately advise the County in writing if at any time it receives written notice of any Hazardous Materials Claims, and Borrower's discovery of any occurrence or condition on any real property adjoining or in the vicinity of the Property that could cause the Property or any part thereof to be classified as "border-zone property" (as defined in California Health and Safety Code Section 25117.4) under the provision of California Health and Safety Code, Section 25220 et seq., or any regulation adopted in accordance therewith, or to be otherwise subject to any restrictions on the ownership, occupancy, transferability or use of the Property under any Hazardous Materials Law.

(c) The County has the right to join and participate in, as a party if it so elects, and be represented by counsel acceptable to the County (or counsel of its own choice if a conflict exists with Borrower) in any legal proceedings or actions initiated in connection with any Hazardous Materials Claims and to have its reasonable attorneys' fees in connection therewith paid by Borrower.

(d) Borrower shall indemnify and hold harmless the County and its board members, supervisors, directors, officers, employees, agents, successors and assigns from and against any loss, damage, cost, fine, penalty, judgment, award, settlement, expense or liability, directly or indirectly arising out of or attributable to: (i) any actual or alleged past or present violation of any Hazardous Materials Law; (ii) any Hazardous Materials Claim; (iii) any actual or alleged past or present use, generation, manufacture, storage, release, threatened release, discharge, disposal, transportation, or presence of Hazardous Materials on, under, or about the Property; (iv) any investigation, cleanup, remediation, removal, or restoration work of site conditions of the Property relating to Hazardous Materials (whether on the Property or any other property); and (v) the breach of any representation of warranty by or covenant of Borrower in this Section 3.11, and Section 4.1(1). Such indemnity shall include, without limitation: (x) all consequential damages; (y) the costs of any required or necessary investigation, repair, cleanup or detoxification of the Property and the preparation and implementation of any closure, remedial or other required plans; and (z) all reasonable costs and expenses incurred by the County in connection with clauses (x) and (y), including but not limited to reasonable attorneys' fees and consultant fees. This indemnification applies whether or not any government agency has issued a cleanup order. Losses, claims, costs, suits, liability, and expenses covered by this indemnification provision include, but are not limited to: (1) losses attributable to diminution in the value of the Property, (2) loss or restriction of use of rentable space on the Property, (3) adverse effect on the marketing of any rental space on the Property, and (4) penalties and fines levied by, and remedial or enforcement actions of any kind issued by any regulatory agency (including but not limited to the costs of any required testing, remediation, repair, removal, cleanup or detoxification of the Property and surrounding properties). This obligation to indemnify will survive termination of this Agreement and will not be diminished or affected in any respect as a result of any notice, disclosure, knowledge, if any, to or by the County of Hazardous Materials.

(e) Without the County's prior written consent, which will not be

unreasonably withheld, Borrower may not take any remedial action in response to the presence of any Hazardous Materials on, under or about the Property, nor enter into any settlement agreement, consent decree, or other compromise in respect to any Hazardous Material Claims, which remedial action, settlement, consent decree or compromise might, in the County's judgment, impair the value of the County's security hereunder; provided, however, that the County's prior consent is not necessary in the event that the presence of Hazardous Materials on, under, or about the Property either poses an immediate threat to the health, safety or welfare of any individual or is of such a nature that an immediate remedial response is necessary and it is not reasonably possible to obtain the County's consent before taking such action, provided that in such event Borrower shall notify the County as soon as practicable of any action so taken. The County agrees not to withhold its consent, where such consent is required hereunder, if: (i) a particular remedial action is ordered by a court of competent jurisdiction; (ii) Borrower will or may be subjected to civil or criminal sanctions or penalties if it fails to take a required action; (iii) Borrower establishes to the satisfaction of the County that there is no reasonable alternative to such remedial action which would result in less impairment of the County's security hereunder; or (iv) the action has been agreed to by the County.

(f) Borrower hereby acknowledges and agrees that: (i) this Section is intended as the County's written request for information (and Borrower's response) concerning the environmental condition of the Property as required by California Code of Civil Procedure Section 726.5; and (ii) each representation and warranty in this Agreement (together with any indemnity obligation applicable to a breach of any such representation and warranty) with respect to the environmental condition of the Property is intended by the Parties to be an "environmental provision" for purposes of California Code of Civil Procedure Section 736.

(g) In the event that any portion of the Property is determined to be "environmentally impaired" (as that term is defined in California Code of Civil Procedure Section 726.5(e)(3)) or to be an "affected parcel" (as that term is defined in California Code of Civil Procedure Section 726.5(e)(1)), then, without otherwise limiting or in any way affecting the County's or the trustee's rights and remedies under the Deed of Trust, the County may elect to exercise its rights under California Code of Civil Procedure Section 726.5(a) to: (i) waive its lien on such environmentally impaired or affected portion of the Property; and (ii) exercise, (1) the rights and remedies of an unsecured creditor, including reduction of its claim against Borrower to judgment, and (2) any other rights and remedies permitted by law. For purposes of determining the County's right to proceed as an unsecured creditor under California Code of Civil Procedure Section 726.5(a), Borrower will be deemed to have willfully permitted or acquiesced in a release or threatened release of Hazardous Materials, within the meaning of California Code of Civil Procedure Section 726.5(d)(1), if the release or threatened release of Hazardous Materials was knowingly or negligently caused or contributed to by any lessee, occupant, or user of any portion of the Property and Borrower knew or should have known of the activity by such lessee, occupant, or user which caused or contributed to the release or threatened release. All costs and expenses, including (but not limited to) attorneys' fees, incurred by the County in connection with any action commenced under this paragraph, including any action required by California Code of Civil Procedure Section 726.5(b) to determine the degree to which the Property is environmentally

impaired, plus interest thereon at the Default Rate, until paid, will be added to the indebtedness secured by the Deed of Trust and is due and payable to the County upon its demand made at any time following the conclusion of such action.

Section 3.12      Maintenance; Damage and Destruction.

(a) Borrower shall maintain the Development and the Property in good repair and in a neat, clean and orderly condition. If there arises a condition in contravention of this requirement, and if Borrower has not cured such condition within thirty (30) days after receiving a County notice of such a condition, then in addition to any other rights available to the County, the County may perform all acts necessary to cure such condition, and to establish or enforce a lien or other encumbrance against the Property, subject to the provisions provided in subsection (b) below.

(b) Subject to the requirements of senior lenders, and if economically feasible in the County's judgment after consultation with Borrower, if any improvement now or in the future on the Property is damaged or destroyed, then Borrower shall, at its cost and expense, diligently undertake to repair or restore such improvement consistent with the plans and specifications approved by the County with such changes as have been approved by the County. Such work or repair is to be commenced no later than the later of one hundred twenty (120) days, or such longer period approved by the County in writing, after the damage or loss occurs or thirty (30) days following receipt of the insurance proceeds, and is to be complete within one (1) year thereafter. Any insurance proceeds collected for such damage or destruction are to be applied to the cost of such repairs or restoration and, if such insurance proceeds are insufficient for such purpose, then Borrower shall make up the deficiency. If Borrower does not promptly make such repairs then any insurance proceeds collected for such damage or destruction are to be promptly delivered by Borrower to the County as a special repayment of the Loan, subject to the rights of the senior lenders, if any.

Section 3.13      Fees and Taxes.

Borrower is solely responsible for payment of all fees, assessments, taxes, charges, and levies imposed by any public authority or utility company with respect to the Property or the Development, and shall pay such charges prior to delinquency. However, Borrower is not required to pay and discharge any such charge so long as: (i) the legality thereof is being contested diligently and in good faith and by appropriate proceedings; and (ii) if requested by the County, Borrower deposits with the County any funds or other forms of assurance that the County in good faith from time to time determines appropriate to protect the County from the consequences of the contest being unsuccessful.

Section 3.14      Notices.

Borrower shall promptly notify the County in writing of any and all of the following:

(a) Any litigation known to Borrower affecting Borrower, or the Property and of any claims or disputes that involve a material risk of such litigation;

(b) Any written or oral communication Borrower receives from any governmental, judicial, or legal authority giving notice of any claim or assertion that the Property fails in any respect to comply with any applicable governmental law;

(c) Any material adverse change in the physical condition of the Property (including any damage suffered as a result of fire, earthquakes, or floods);

(d) Any material adverse change in Borrower's financial condition, any material adverse change in Borrower's operations, or any change in the management of Borrower;

(e) That any of the statements in Section 4.1(l) regarding Hazardous Materials are no longer accurate;

(f) Any Default or event which, with the giving of notice or the passage of time or both, would constitute a Default; and

(g) Any other circumstance, event, or occurrence that results in a material adverse change in Borrower's ability to timely perform any of its obligations under any of the Loan Documents.

Section 3.15 Operation of Development as Affordable Housing.

Borrower shall operate the Development as an affordable housing development consistent with: (i) HUD's requirements for use of HOPWA Funds (with respect to the HOPWA-Assisted Units); (ii) the Regulatory Agreement; and (iii) any other regulatory requirements imposed on Borrower. Upon the Construction Closing the County and Borrower shall cause to be recorded against the Property the Regulatory Agreement providing, among other matters, for the rental of the HOPWA-Assisted Units to HOPWA Eligible Households with incomes that do not exceed thirty percent (30%) of area median income for a time period of no less than the HOPWA Term, and to income eligible households after the expiration of the HOPWA Term through the end of fifty-five (55) years.

Section 3.16 Nondiscrimination.

(a) Borrower covenants by and for itself and its successors and assigns that there will be no discrimination against or segregation of a person or of a group of persons on account of race, color, religion, creed, age (except for lawful senior housing in accordance with state and federal law), familial status, disability, sex, sexual orientation, marital status, ancestry or national origin in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor may Borrower or any person claiming under or through Borrower establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees in the Property. The foregoing covenant will run with the land.

(b) Nothing in this Section prohibits Borrower from requiring HOPWA-Assisted Units in the Development to be available to and occupied by income eligible

households in accordance with the Regulatory Agreement, or from requiring the HOPWA-Assisted Units in the Development to be available to and occupied by HOPWA Eligible Households.

Section 3.17      Transfer.

(a) For purposes of this Agreement, "Transfer" means any sale, assignment, or transfer, whether voluntary or involuntary, of: (i) any rights and/or duties under this Agreement; and/or (ii) any interest in the Development, including (but not limited to) a fee simple interest, a joint tenancy interest, a life estate, a partnership interest, a leasehold interest, a security interest, or an interest evidenced by a land contract by which possession of the Development is transferred and Borrower retains title. The term "Transfer" excludes the leasing of any single unit in the Development to an occupant in compliance with the Regulatory Agreement. The County Deputy Director – Department of Conservation and Development is authorized to execute assignment and assumption agreements on behalf of the County to implement any approved Transfer.

(b) No Transfer is permitted without the prior written consent of the County, which the County may withhold in its sole discretion. The Loan will automatically accelerate and be due in full upon any Transfer made without the prior written consent of the County.

Section 3.18      Insurance Requirements.

(a) Borrower shall maintain the following insurance coverage throughout the Term of the Loan:

(i) Workers' Compensation insurance to the extent required by law, including Employer's Liability coverage, with limits not less than One Million Dollars (\$1,000,000) each accident.

(ii) Commercial General Liability insurance with limits not less than Two Million Dollars (\$2,000,000) each occurrence combined single limit for Bodily Injury and Property Damage, including coverages for Contractual Liability, Personal Injury, Broadform Property Damage, Products and Completed Operations.

(iii) Automobile Liability insurance with limits not less than One Million Dollars (\$1,000,000) each occurrence combined single limit for Bodily Injury and Property Damage, including coverages for owned, non-owned and hired vehicles, as applicable.

(iv) Builders' Risk insurance during the course of construction, and upon completion of construction, property insurance covering the Development, in form appropriate for the nature of such property, covering all risks of loss, excluding earthquake, for one hundred percent (100%) of the replacement value, with deductible, if any, acceptable to the County, naming the County as a Loss Payee, as its interests may appear. Flood insurance must be obtained if required by applicable federal regulations.

(v) Commercial crime insurance covering all officers and employees, for loss of Loan proceeds caused by dishonesty, in an amount approved by the County, naming the County a Loss Payee, as its interests may appear.

(b) Borrower shall cause any general contractor, agent, or subcontractor working on the Development under direct contract with Borrower or subcontract to maintain insurance of the types and in at least the minimum amounts described in subsections (i), (ii), and (iii) above, except that the limit of liability for commercial general liability insurance for subcontractors must be One Million Dollars (\$1,000,000), and must require that such insurance will meet all of the general requirements of subsections (d) and (e) below.

(c) The required insurance must be provided under an occurrence form, and Borrower shall maintain the coverage described in subsection (a) continuously throughout the Term. Should any of the required insurance be provided under a form of coverage that includes an annual aggregate limit or provides that claims investigation or legal defense costs be included in such annual aggregate limit, such annual aggregate limit must be three times the occurrence limits specified above.

(d) Commercial General Liability, Automobile Liability and Property insurance policies must be endorsed to name as an additional insured the County and its officers, agents, employees and members of the County Board of Supervisors.

(e) All policies and bonds are to contain: (i) the agreement of the insurer to give the County at least thirty (30) days' notice prior to cancellation (including, without limitation, for non-payment of premium) or any material change in said policies; (ii) an agreement that such policies are primary and non-contributing with any insurance that may be carried by the County; (iii) a provision that no act or omission of Borrower shall affect or limit the obligation of the insurance carrier to pay the amount of any loss sustained; and (iv) a waiver by the insurer of all rights of subrogation against the County and its authorized parties in connection with any loss or damage thereby insured against.

Section 3.19      Anti-Lobbying Certification.

(a) Borrower certifies, to the best of Borrower's knowledge or belief, that:

(i) No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

(ii) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, grant, loan, or

cooperative agreement, it will complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(b) This certification is a material representation of fact upon which reliance was placed when this Agreement was made or entered into. Submission of this certification is a prerequisite for making or entering into this Agreement imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than Ten Thousand Dollars (\$10,000) and no more than One Hundred Thousand Dollars (\$100,000) for such failure.

Section 3.20      Other Indebtedness and Liens.

Borrower shall not incur any indebtedness of any kind or encumber the Property with any liens without the prior written consent of the County. If the County and Borrower enter into the Subsequent Loan Documents, such agreement will set forth the County's standard provisions regarding additional liens and subordination.

Section 3.21      NEPA Mitigation Requirements.

Borrower shall comply with the NEPA mitigation requirements set forth in the attached Exhibit C in the development of the Development.

ARTICLE 4    REPRESENTATIONS AND  
WARRANTIES OF BORROWER

Section 4.1      Representations and Warranties.

Borrower hereby represents and warrants to the County as follows and acknowledges, understands, and agrees that the representations and warranties set forth in this Article 5 are deemed to be continuing during all times when any portion of the Loan remains outstanding:

(a) Organization. Borrower is duly organized, validly existing and in good standing under the laws of the State of California and has the power and authority to own its property and carry on its business as now being conducted.

(b) Authority of Borrower. Borrower has full power and authority to execute and deliver this Agreement and to make and accept the borrowings contemplated hereunder, to execute and deliver the Loan Documents and all other documents or instruments executed and delivered, or to be executed and delivered, pursuant to this Agreement, and to perform and observe the terms and provisions of all of the above.

(c) Authority of Persons Executing Documents. This Agreement and the Loan Documents and all other documents or instruments executed and delivered, or to be executed and delivered, pursuant to this Agreement have been executed and delivered by persons who are duly authorized to execute and deliver the same for and on behalf of Borrower, and all actions required under Borrower's organizational documents and applicable governing law for the authorization, execution, delivery and performance of this Agreement

and the Loan Documents and all other documents or instruments executed and delivered, or to be executed and delivered, pursuant to this Agreement, have been duly taken.

(d) Valid Binding Agreements. The Loan Documents and all other documents or instruments executed and delivered pursuant to or in connection with this Agreement constitute or, if not yet executed or delivered, will when so executed and delivered constitute, legal, valid and binding obligations of Borrower enforceable against it in accordance with their respective terms.

(e) No Breach of Law or Agreement. Neither the execution nor delivery of the Loan Documents or of any other documents or instruments executed and delivered, or to be executed or delivered, pursuant to this Agreement, nor the performance of any provision, condition, covenant or other term hereof or thereof, will: (i) conflict with or result in a breach of any statute, rule or regulation, or any judgment, decree or order of any court, board, commission or agency whatsoever that is binding on Borrower, or conflict with any provision of the organizational documents of Borrower, or conflict with any agreement to which Borrower is a party; or (ii) result in the creation or imposition of any lien upon any assets or property of Borrower, other than liens established pursuant hereto.

(f) Compliance with Laws; Consents and Approvals. The performance of the Predevelopment Activities and construction of the Development will comply with all applicable laws, ordinances, rules and regulations of federal, state and local governments and agencies and with all applicable directions, rules and regulations of the fire marshal, health officer, building inspector and other officers of any such government or agency.

(g) Pending Proceedings. Borrower is not in default under any law or regulation or under any order of any court, board, commission or agency whatsoever, and there are no claims, actions, suits or proceedings pending or, to the knowledge of Borrower, threatened against or affecting Borrower or the Development, at law or in equity, before or by any court, board, commission or agency whatsoever which might, if determined adversely to Borrower, materially affect Borrower's ability to repay the Loan or impair the security to be given to the County pursuant hereto.

(h) Title to Land. At the time of recordation of the Deed of Trust, Borrower will have good and marketable fee title to the Development and there will exist thereon or with respect thereto no mortgage, lien, pledge or other encumbrance of any character whatsoever other than liens for current real property taxes and liens in favor of the County or approved in writing by the County.

(i) Financial Statements. The financial statements of Borrower and other financial data and information furnished by Borrower to the County fairly and accurately present the information contained therein. As of the date of this Agreement, there has not been any material adverse change in the financial condition of Borrower from that shown by such financial statements and other data and information.

(j) Sufficient Funds. Borrower holds sufficient funds and/or binding commitments for sufficient funds to complete the acquisition of the Property and the performance of the Predevelopment Activities in accordance with the terms of this

Agreement.

(k) Taxes. Borrower and its subsidiaries have filed all federal and other material tax returns and reports required to be filed, and have paid all federal and other material taxes, assessments, fees and other governmental charges levied or imposed upon them or their income or the Property otherwise due and payable, except those that are being contested in good faith by appropriate proceedings and for which adequate reserves have been provided in accordance with generally accepted accounting principles. There is no proposed tax assessment against Borrower or any of its subsidiaries that could, if made, be reasonably expected to have a material adverse effect on the property, liabilities (actual or contingent), operations, condition (financial or otherwise) or prospects of Borrower and its subsidiaries, taken as a whole, or which could result in (i) a material impairment of the ability of Borrower to perform under any loan document to which it is a party, or (ii) a material adverse effect upon the legality, validity, binding effect or enforceability against Borrower of any Loan Document.

(l) Hazardous Materials. To the best of Borrower's knowledge, except as disclosed in writing by Borrower to the County prior to the date of this Agreement: (i) no Hazardous Material has been disposed of, stored on, discharged from, or released to or from, or otherwise now exists in, on, under, or around, the Property; (ii) neither the Property nor Borrower is in violation of any Hazardous Materials Law; and (iii) neither the Property nor Borrower is subject to any existing, pending or threatened Hazardous Materials Claims.

## ARTICLE 5 DEFAULT AND REMEDIES

### Section 5.1 Events of Default.

Any one or more of the following constitutes an "Event of Default" by Borrower under this Agreement:

(a) Failure to Make Payment. If Borrower fails to make any payment when such payment is due pursuant to the Loan Documents.

(b) Breach of Covenants. If Borrower fails to duly perform, comply with, or observe any other condition, term, or covenant contained in this Agreement (other than as set forth in Section 6.1(a) and Section 6.1(c) through Section 6.1(j)), or in any of the other Loan Documents, and Borrower fails to cure such default within thirty (30) days after receipt of written notice thereof from the County to Borrower.

(c) Insolvency. If a court having jurisdiction makes or enters any decree or order: (i) adjudging Borrower to be bankrupt or insolvent; (ii) approving as properly filed a petition seeking reorganization of Borrower, or seeking any arrangement for Borrower under the bankruptcy law or any other applicable debtor's relief law or statute of the United States or any state or other jurisdiction; (iii) appointing a receiver, trustee, liquidator, or assignee of Borrower in bankruptcy or insolvency or for any of their properties; (iv) directing the winding up or liquidation of Borrower if any such decree or order described in clauses (i) to (iv), inclusive, is unstayed or undischarged for a period of ninety (90) calendar days; or (v)

Borrower admits in writing its inability to pay its debts as they fall due or will have voluntarily submitted to or filed a petition seeking any decree or order of the nature described in clauses (i) to (iv), inclusive. The occurrence of any of the Events of Default in this paragraph will act to accelerate automatically, without the need for any action by the County, the indebtedness evidenced by the Note.

(d) Assignment; Attachment. If Borrower assigns its assets for the benefit of its creditors or suffers a sequestration or attachment of or execution on any substantial part of its property, unless the property so assigned, sequestered, attached or executed upon is returned or released within ninety (90) calendar days after such event or, if sooner, prior to sale pursuant to such sequestration, attachment, or execution. The occurrence of any of the events of default in this paragraph shall act to accelerate automatically, without the need for any action by the County, the indebtedness evidenced by the Note.

(e) Suspension; Termination. If Borrower voluntarily suspends its business or, the partnership is dissolved or terminated, other than a technical termination of the partnership for tax purposes.

(f) Liens on Property and the Development. If any claim of lien (other than liens approved in writing by the County) is filed against the Development or any part thereof, or any interest or right made appurtenant thereto, or the service of any notice to withhold proceeds of the Loan and the continued maintenance of said claim of lien or notice to withhold for a period of twenty (20) days, without discharge or satisfaction thereof or provision therefor (including, without limitation, the posting of bonds) satisfactory to the County.

(g) Condemnation. If there is a condemnation, seizure, or appropriation of all or the substantial part of the Property and the Development.

(h) Unauthorized Transfer. If any Transfer occurs other than as permitted pursuant to Section 3.17.

(i) Representation or Warranty Incorrect. If any Borrower representation or warranty contained in this Agreement, or in any application, financial statement, certificate, or report submitted to the County in connection with any of the Loan Documents, proves to have been incorrect in any material respect when made.

(j) Applicability to General Partner. The occurrence of any of the events set forth in Section 6.1(c), through Section 6.1(e) in relation to Borrower's managing general partner.

## Section 5.2      Remedies.

Upon the occurrence of an Event of Default and until such Event of Default is cured or waived, the County is relieved of any obligation to disburse any portion of the Loan. In addition, upon the occurrence of an Event of Default and following the expiration of all applicable notice and cure periods the County may proceed with any and all remedies available to it under law,

this Agreement, and the other Loan Documents. Such remedies include but are not limited to the following:

(a) Acceleration of Note. The County may cause all indebtedness of Borrower to the County under this Agreement and the Note, together with any accrued interest thereon, to become immediately due and payable. Borrower waives all right to presentment, demand, protest or notice of protest or dishonor. The County may proceed to enforce payment of the indebtedness and to exercise any or all rights afforded to the County as a creditor and secured party under the law including the Uniform Commercial Code, including foreclosure under the Deed of Trust. Borrower is liable to pay the County on demand all reasonable expenses, costs and fees (including, without limitation, reasonable attorney's fees and expenses) paid or incurred by the County in connection with the collection of the Loan and the preservation, maintenance, protection, sale, or other disposition of the security given for the Loan.

(b) Specific Performance. The County has the right to mandamus or other suit, action or proceeding at law or in equity to require Borrower to perform its obligations and covenants under the Loan Documents or to enjoin acts on things that may be unlawful or in violation of the provisions of the Loan Documents.

(c) Right to Cure at Borrower's Expense. The County has the right (but not the obligation) to cure any monetary default by Borrower under a loan other than the Loan. Upon demand therefor, Borrower shall reimburse the County for any funds advanced by the County to cure such monetary default by Borrower, together with interest thereon from the date of expenditure until the date of reimbursement at the Default Rate.

Section 5.3      Right of Contest.

Borrower may contest in good faith any claim, demand, levy, or assessment the assertion of which would constitute an Event of Default hereunder. Any such contest is to be prosecuted diligently and in a manner unprejudicial to the County or the rights of the County hereunder.

Section 5.4      Remedies Cumulative.

No right, power, or remedy given to the County by the terms of this Agreement or the other Loan Documents is intended to be exclusive of any other right, power, or remedy; and each and every such right, power, or remedy is cumulative and in addition to every other right, power, or remedy given to the County by the terms of any such instrument, or by any statute or otherwise against Borrower and any other person. Neither the failure nor any delay on the part of the County to exercise any such rights and remedies will operate as a waiver thereof, nor does any single or partial exercise by the County of any such right or remedy preclude any other or further exercise of such right or remedy, or any other right or remedy.

## ARTICLE 6 GENERAL PROVISIONS

### Section 6.1 Relationship of Parties.

Nothing contained in this Agreement is to be interpreted or understood by any of the Parties, or by any third persons, as creating the relationship of employer and employee, principal and agent, limited or general partnership, or joint venture between the County and Borrower or its agents, employees or contractors, and Borrower will at all times be deemed an independent contractor and to be wholly responsible for the manner in which it or its agents, or both, perform the services required of it by the terms of this Agreement. Borrower has and retains the right to exercise full control of employment, direction, compensation, and discharge of all persons assisting in the performance of services under the Agreement. In regards to the construction and operation of the Development, Borrower is solely responsible for all matters relating to payment of its employees, including compliance with Social Security, withholding, and all other laws and regulations governing such matters, and must include requirements in each contract that contractors are solely responsible for similar matters relating to their employees. Borrower is solely responsible for its own acts and those of its agents and employees.

### Section 6.2 No Claims.

Nothing contained in this Agreement creates or justifies any claim against the County by any person that Borrower may have employed or with whom Borrower may have contracted relative to the purchase of materials, supplies or equipment, or the furnishing or the performance of any work or services with respect to the purchase of the Property, the construction or operation of the Development, and Borrower shall include similar requirements in any contracts entered into for the construction or operation of the Development.

### Section 6.3 Amendments.

No alteration or variation of the terms of this Agreement is valid unless made in writing by the Parties. The County Deputy Director, Department of Conservation and Development is authorized to execute on behalf of the County amendments to the Loan Documents or amended and restated Loan Documents as long as any discretionary change in the amount or terms of this Agreement is approved by the County's Board of Supervisors.

### Section 6.4 Indemnification.

Borrower shall indemnify, defend and hold the County and its board members, supervisors, directors, officers, employees, agents, successors and assigns harmless against any and all claims, suits, actions, losses and liability of every kind, nature and description made against it and expenses (including reasonable attorneys' fees) which arise out of or in connection with this Agreement, including but not limited to the purchase of the Property and the development, construction, marketing and operation of the Development, except to the extent such claim arises from the gross negligence or willful misconduct of the County, its agents, and its employees. The provisions of this Section will survive the expiration of the Term and the reconveyance of the Deed of Trust.

Section 6.5      Non-Liability of County Officials, Employees and Agents.

No member, official, employee or agent of the County is personally liable to Borrower in the event of any default or breach of this Agreement by the County or for any amount that may become due from the County pursuant to this Agreement.

Section 6.6      No Third Party Beneficiaries.

There are no third party beneficiaries to this Agreement.

Section 6.7      Discretion Retained By County.

The County's execution of this Agreement in no way limits any discretion the County may have in the permit and approval process related to the construction of the Development.

Section 6.8      Conflict of Interest.

(a) Except for approved eligible administrative or personnel costs, no person described in Section 6.8(b) below who exercises or has exercised any functions or responsibilities with respect to the activities funded pursuant to this Agreement or who is in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have a financial interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have immediate family or business ties, during, or at any time after, such person's tenure. Borrower shall exercise due diligence to ensure that the prohibition in this Section 6.8(a) is followed.

(b) The conflict of interest provisions of Section 6.8(a) above apply to any person who is an employee, agent, consultant, officer, or elected or appointed official of the County.

(c) In accordance with California Government Code Section 1090 and the Political Reform Act, California Government Code section 87100 et seq., no person who is a director, officer, partner, trustee or employee or consultant of Borrower, or immediate family member of any of the preceding, may make or participate in a decision, made by the County or a County board, commission or committee, if it is reasonably foreseeable that the decision will have a material effect on any source of income, investment or interest in real property of that person or Borrower. Interpretation of this section is governed by the definitions and provisions used in the Political Reform Act, California Government Code Section 87100 et seq., its implementing regulations manual and codes, and California Government Code Section 1090.

(d) Borrower shall comply with the conflict of interest provisions set forth in 24 C.F.R. Section 574.625.

Section 6.9      Notices, Demands and Communications.

All notices required or permitted by any provision of this Agreement must be in writing

and sent by registered or certified mail, postage prepaid, return receipt requested, or delivered by express delivery service, return receipt requested, or delivered personally, to the principal office of the Parties as follows:

County: County of Contra Costa  
Department of Conservation and Development  
30 Muir Road  
Martinez, CA 94553  
Attention: Affordable Housing Program Manager

Borrower: Tabora Gardens, L.P.  
c/o Satellite Affordable Housing Associates  
1835 Alcatraz Avenue  
Berkeley, CA 94703

Such written notices, demands and communications may be sent in the same manner to such other addresses as the affected party may from time to time designate by mail as provided in this Section. Receipt will be deemed to have occurred on the date shown on a written receipt as the date of delivery or refusal of delivery (or attempted delivery if undeliverable).

Section 6.10 Applicable Law.

This Agreement is governed by the laws of the State of California.

Section 6.11 Parties Bound.

Except as otherwise limited herein, this Agreement binds and inures to the benefit of the parties and their heirs, executors, administrators, legal representatives, successors, and assigns. This Agreement is intended to run with the land and to bind Borrower and its successors and assigns in the Property and the Development for the entire Term, and the benefit hereof is to inure to the benefit of the County and its successors and assigns.

Section 6.12 Attorneys' Fees.

If any lawsuit is commenced to enforce any of the terms of this Agreement, the prevailing party will have the right to recover its reasonable attorneys' fees and costs of suit from the other party.

Section 6.13 Severability.

If any term of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions will continue in full force and effect unless the rights and obligations of the parties have been materially altered or abridged by such invalidation, voiding or unenforceability.

Section 6.14 Force Majeure.

In addition to specific provisions of this Agreement, performance by either party will not

be deemed to be in default where delays or defaults are due to war, insurrection, strikes, lock-outs, riots, floods, earthquakes, fires, quarantine restrictions, freight embargoes, lack of transportation, or court order. An extension of time for any cause will be deemed granted if notice by the party claiming such extension is sent to the other within ten (10) days from the commencement of the cause and such extension of time is not rejected in writing by the other party within ten (10) days after receipt of the notice. In no event will the County be required to agree to cumulative delays in excess of one hundred eighty (180) days.

Section 6.15      County Approval.

The County has authorized the County Deputy Director- Department of Conservation and Development to execute the Loan Documents and deliver such approvals or consents as are required by this Agreement, and to execute estoppel certificates concerning the status of the Loan and the existence of Borrower defaults under the Loan Documents.

Section 6.16      Waivers.

Any waiver by the County of any obligation or condition in this Agreement must be in writing. No waiver will be implied from any delay or failure by the County to take action on any breach or default of Borrower or to pursue any remedy allowed under this Agreement or applicable law. Any extension of time granted to Borrower to perform any obligation under this Agreement does not operate as a waiver or release from any of its obligations under this Agreement. Consent by the County to any act or omission by Borrower may not be construed to be consent to any other or subsequent act or omission or to waive the requirement for the County's written consent to future waivers.

Section 6.17      Title of Parts and Sections.

Any titles of the sections or subsections of this Agreement are inserted for convenience of reference only and are to be disregarded in interpreting any part of the Agreement's provisions.

Section 6.18      Entire Understanding of the Parties.

The Loan Documents constitute the entire agreement of the parties with respect to the Loan.

Section 6.19      Multiple Originals; Counterpart.

This Agreement may be executed in multiple originals, each of which is deemed to be an original, and may be signed in counterparts.

***Remainder of Page Left Intentionally Blank***

The parties are executing this Agreement as of the date first above written.

**COUNTY:**

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

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

Name: \_\_\_\_\_

Its: \_\_\_\_\_

**APPROVED AS TO FORM:**

SHARON L. ANDERSON  
County Counsel

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

Kathleen Andrus  
Deputy County Counsel

**BORROWER:**

Tabora Gardens, L.P.,  
a California limited partnership

By: Satellite AHA Development, Inc.  
a California nonprofit public benefit  
corporation, its general partner

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

Its: \_\_\_\_\_

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

The land is situated in the State of California, County of Contra Costa, and is described as follows:

Parcel One:

Portion of the Northwest  $\frac{1}{4}$  of Section 36, Township 2 North, Range 1 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the northern line of the land described in the Deed to United States of America, recorded May 24, 1938, in Book 461, Page 34 Official Records, distant thereon South  $85^{\circ} 31' 50''$  East, 30.06 feet from the western line of said Section; running thence North  $1^{\circ} 05' 07''$  East, said bearings used for the purpose of his description, 404.40 feet; thence on the arc of a tangent curve to the left having a radius of 255 feet, through a central angle of  $28^{\circ} 04' 21''$ , a distance of 124.94 feet to said western line of Section 36; thence along the last named line, North  $1^{\circ} 05' 07''$  East, 85 feet, more or less, to the northeastern line of the land described in the grant of easement for Federal Engineering Co., recorded February 28, 1930, in Book 237, Page 9 of Official Records; thence along the last named line South  $43^{\circ} 04'$  East to said northern line, (461 OR 34); thence along the last named line North  $85^{\circ} 31' 50''$  West, to the point of beginning.

Excepting from Parcel One:

That portion thereof described in the Deed to Battaglia & Del Favero Construction and Development Co., Inc., recorded April 22, 1980, Book 9824, Official Records, page 224.

Parcel Two:

Portion of the Northwest  $\frac{1}{4}$  of Section 36, Township 2 North, Range 1 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the southwest corner of Parcel A of Sunnyridge Unit 2, Subdivision 4921, recorded in Map Book 195, at Page 41, Recorders Office, Contra Costa County, California; thence North  $03^{\circ} 34' 28''$  East, 7.82 feet to a point on a curve, said curve being the souther line of Paso Corto Road; thence, along said curve concave to the northeast with a radius of 801.00 feet, central angle of  $20^{\circ} 54' 55''$  an arc length of 292.40 feet to a point of tangency; Thence North  $57^{\circ} 30' 00''$  West, 67.97 feet to a point; thence leaving said Paso Corto Road, South  $43^{\circ} 30' 00''$  East, 196.15 feet; thence South  $86^{\circ} 25' 32''$  East, 190.94 feet to point of beginning.

(Being APN 072-011-062)

EXHIBIT B

APPROVED DEVELOPMENT BUDGET

EXHIBIT C

NEPA MITIGATION REQUIREMENTS

NEPA Mitigation and Monitoring Plan – Tabora Gardens

All mitigations / conditions of approval must be included in project agreement and/or legal documents.

Compliance with mitigations / conditions of approval must be documented prior to final payment of County funds

Mitigation Measure(s)	Source	Method and date County staff informed Project Sponsor	Included in County loan document and /or project agreement	Verification of Mitigation Measure(s)	Responsible for implementation	Mitigation Timing	Responsible for monitoring and reporting on implementation	Monitoring and reporting frequency	Verification of compliance	Date completed	Comments
<b>Phase 1 Environmental Site Assessment:</b> Based on the findings of the Phase I Environmental Assessment (as may be amended) conducted by Furgo West Inc. dated September 9, 2010, the conclusions and recommendations listed on pages 17 and 18 shall be implemented.	Phase 1 Environmental Site Assessment September 2010		<input type="checkbox"/>	<input type="checkbox"/> City of Antioch Approved Construction Plans	Project sponsor, architect	Pre and post construction	Architect and contractor	ongoing	<input type="checkbox"/> Letter from architect  <input type="checkbox"/> Copy of Final approved Building Permit		
<b>Phase 2 Environmental Assessment:</b> Based on the findings of the Phase II Environmental Assessment (as may be amended) conducted by Furgo West Inc. dated November 23, 2010, the conclusions and recommendations listed on page 4 shall be implemented.	Phase 2 Environmental Site Assessment November 2010		<input type="checkbox"/>	<input type="checkbox"/> City of Antioch Approved Construction Plans	Project sponsor, architect	Pre and post construction	Architect and contractor	ongoing	<input type="checkbox"/> Letter from architect  <input type="checkbox"/> Copy of Final approved Building Permit		

<p><b>Geotechnical Feasibility Evaluation:</b> Based on the finding of the Geotechnical Feasibility Evaluation (as may be amended) conducted by Furgo West Inc. dated November 8, 2010, the conclusions listed on page 3 and 4 including but not limited to highly expansive surficial soils, seismic design considerations and other design considerations shall be implemented.</p>	<p>Geotechnical Feasibility Evaluation November 2010</p>		<input type="checkbox"/>	<input type="checkbox"/> City of Antioch Approved Construction Plans	<p>Project sponsor, architect</p>	<p>Pre and post construction</p>	<p>Architect and contractor</p>	<p>ongoing</p>	<input type="checkbox"/> Letter from architect  <input type="checkbox"/> Copy of Final approved Building Permit		
<p><b>Contra Costa Water District:</b> Based on the Contra Costa Water District's letter dated December 15, 2010 the following conditions shall be implemented:</p> <ul style="list-style-type: none"> <li>• CCWD property line needs to be indicated on Tentative Map as well as any project drainage coming towards the Contra Costa Canal.</li> <li>• No construction activities should occur on Reclamation property.</li> <li>• No East Bay Regional Park District trail access or landscaping to occur within</li> </ul>	<p>Contra Costa Water District letter December 15, 2010</p>		<input type="checkbox"/>	<input type="checkbox"/> City of Antioch Approved Construction Plans	<p>Project sponsor, architect</p>	<p>Pre and post construction</p>	<p>Architect and contractor</p>	<p>ongoing</p>	<input type="checkbox"/> Letter from architect  <input type="checkbox"/> Copy of Final approved Building Permit		

<p>Reclamation property.</p> <ul style="list-style-type: none"> <li>• Project bio swales shall not impact Reclamation right-of-way.</li> <li>• There shall be no project drainage onto Reclamation property.</li> <li>• Reclamation fence to remain during grading and construction.</li> <li>• A six-foot chain link fence (or other appropriate fencing) should be installed.</li> </ul>											
<p><b>Contra Costa County Fire Protection District:</b> Based on the Contra Costa County Fire Protection District's letter dated November 16, 2010 the 11 requirements identified in the letter shall be implemented.</p>	<p>Contra Costa Fire Protection District letter November 16, 2010</p>		<input type="checkbox"/>	<input type="checkbox"/> City of Antioch Approved Construction Plans	<p>Project sponsor, architect</p>	<p>Pre and post construction</p>	<p>Architect and contractor</p>	<p>ongoing</p>	<input type="checkbox"/> Letter from architect  <input type="checkbox"/> Copy of Final approved Building Permit		
<p><b>Biological Assessment Report:</b> Based on the findings of the Biological Assessment Report (as may be amended) conducted by Wood Biological Consulting dated August 25, 2010, the conclusions and recommendations listed on page 12 through 14 shall be implemented.</p>	<p>Biological Assessment Report August 2010</p>		<input type="checkbox"/>	<input type="checkbox"/> City of Antioch Approved Construction Plans	<p>Project sponsor, architect</p>	<p>Pre and post construction</p>	<p>Architect and contractor</p>	<p>ongoing</p>	<input type="checkbox"/> Letter from architect  <input type="checkbox"/> Copy of Final approved Building Permit		

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# HOPWA LOAN AGREEMENT

Between

COUNTY OF CONTRA COSTA

And

TABORA GARDENS, L.P.

Tabora Gardens Apartments

dated April 1, 2016

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Contra Costa County  
Department of Conservation and Development  
30 Muir Road  
Martinez, CA 94553  
Attn: Affordable Housing Program Manager

No fee for recording pursuant to  
Government Code Section 27383

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DEED OF TRUST WITH ASSIGNMENT OF RENTS,  
SECURITY AGREEMENT, AND FIXTURE FILING

(Tabora Gardens)

THIS DEED OF TRUST WITH ASSIGNMENT OF RENTS, SECURITY AGREEMENT ("Deed of Trust") is made as of April 1, 2016, by and among Tabora Gardens L.P., a California limited partnership ("Trustor"), Old Republic Title Company, a California corporation ("Trustee"), and the County of Contra Costa, a political subdivision of the State of California ("Beneficiary").

FOR GOOD AND VALUABLE CONSIDERATION, including the indebtedness herein recited and the trust herein created, the receipt of which is hereby acknowledged, Trustor hereby irrevocably grants, transfers, conveys and assigns to Trustee, IN TRUST, WITH POWER OF SALE, for the benefit and security of Beneficiary, under and subject to the terms and conditions hereinafter set forth, Trustor's fee interest in the property located in the County of Contra Costa, State of California, that is described in the attached Exhibit A, incorporated herein by this reference (the "Property").

TOGETHER WITH all interest, estates or other claims, both in law and in equity which Trustor now has or may hereafter acquire in the Property and the rents;

TOGETHER WITH all easements, rights-of-way and rights used in connection therewith or as a means of access thereto, including (without limiting the generality of the foregoing) all tenements, hereditaments and appurtenances thereof and thereto;

TOGETHER WITH any and all buildings and improvements of every kind and description now or hereafter erected thereon, and all property of Trustor now or hereafter affixed to or placed upon the Property;

TOGETHER WITH all building materials and equipment now or hereafter delivered to said property and intended to be installed therein;

TOGETHER WITH all right, title and interest of Trustor, now owned or hereafter acquired, in and to any land lying within the right-of-way of any street, open or proposed,

adjoining the Property, and any and all sidewalks, alleys and strips and areas of land adjacent to or used in connection with the Property;

TOGETHER WITH all estate, interest, right, title, other claim or demand, of every nature, in and to such property, including the Property, both in law and in equity, including, but not limited to, all deposits made with or other security given by Trustor to utility companies, the proceeds from any or all of such property, including the Property, claims or demands with respect to the proceeds of insurance in effect with respect thereto, which Trustor now has or may hereafter acquire, any and all awards made for the taking by eminent domain or by any proceeding or purchase in lieu thereof of the whole or any part of such property, including without limitation, any awards resulting from a change of grade of streets and awards for severance damages to the extent Beneficiary has an interest in such awards for taking as provided in Paragraph 4.1 herein;

TOGETHER WITH all of Trustor's interest in all articles of personal property or fixtures now or hereafter attached to or used in and about the building or buildings now erected or hereafter to be erected on the Property which are necessary to the complete and comfortable use and occupancy of such building or buildings for the purposes for which they were or are to be erected, including all other goods and chattels and personal property as are ever used or furnished in operating a building, or the activities conducted therein, similar to the one herein described and referred to, and all renewals or replacements thereof or articles in substitution therefor, whether or not the same are, or will be, attached to said building or buildings in any manner; and

TOGETHER WITH all of Trustor's interest in all building materials, fixtures, equipment, work in process and other personal property to be incorporated into the Property; all goods, materials, supplies, fixtures, equipment, machinery, furniture and furnishings, signs and other personal property now or hereafter appropriated for use on the Property, whether stored on the Property or elsewhere, and used or to be used in connection with the Property; all rents, issues and profits, and all inventory, accounts, accounts receivable, contract rights, general intangibles, chattel paper, instruments, documents, notes drafts, letters of credit, insurance policies, insurance and condemnation awards and proceeds, trade names, trademarks and service marks arising from or related to the Property and any business conducted thereon by Trustor; all replacements, additions, accessions and proceeds; and all books, records and files relating to any of the foregoing.

All of the foregoing, together with the Property, is herein referred to as the "Security." To have and to hold the Security together with acquittances to the Trustee, its successors and assigns forever.

FOR THE PURPOSE OF SECURING THE FOLLOWING OBLIGATIONS (together, the "Secured Obligations"):

A. Payment to Beneficiary of all sums at any time owing under or in connection with (i) the Note (defined in Section 1.5 below) until paid in full or cancelled, and (ii) any other amounts owing under the Loan Documents (defined in Section 1.4 below). Principal and other payments are due and payable as provided in the Note or other Loan Documents, as applicable.

The Note and all its terms are incorporated herein by reference, and this conveyance secures any and all extensions thereof, however evidenced;

B. Payment of any sums advanced by Beneficiary to protect the Security pursuant to the terms and provisions of this Deed of Trust following a breach of Trustor's obligation to advance said sums and the expiration of any applicable cure period, with interest thereon as provided herein;

C. Performance of every obligation, covenant or agreement of Trustor contained herein and in the Loan Documents; and

D. All modifications, extensions and renewals of any of the Secured Obligations (including without limitation, (i) modifications, extensions or renewals at a different rate of interest, or (ii) deferrals or accelerations of the required principal payment dates or interest payment dates or both, in whole or in part), however evidenced, whether or not any such modification, extension or renewal is evidenced by a new or additional promissory note or notes.

AND TO PROTECT THE SECURITY OF THIS DEED OF TRUST, TRUSTOR COVENANTS AND AGREES:

## ARTICLE 1 DEFINITIONS

In addition to the terms defined elsewhere in this Deed of Trust, the following terms have the following meanings in this Deed of Trust:

Section 1.1 The term "Default Rate" means the lesser of the maximum rate permitted by law and ten percent (10%) per annum.

Section 1.2 The term "Loan" means the loan made by Beneficiary to Trustor in the amount of Six Hundred Fifty Thousand Dollars (\$650,000).

Section 1.3 The term "Loan Agreement" means that certain HOPWA Loan Agreement between Trustor and Beneficiary, of even date herewith, as such may be amended from time to time, providing for the Beneficiary to loan to Trustor Six Hundred Fifty Thousand Dollars (\$650,000).

Section 1.4 The term "Loan Documents" means this Deed of Trust, the Note, the Loan Agreement, and any other agreements, debt, loan or security instruments between Trustor and Beneficiary relating to the Loan.

Section 1.5 The term "Note" means the promissory note in the principal amount of Six Hundred Fifty Thousand Dollars (\$650,000) of even date herewith, executed by Trustor in favor of Beneficiary, as it may be amended or restated, the payment of which is secured by this Deed of Trust. The terms and provisions of the Note are incorporated herein by reference.

Section 1.6 The term "Principal" means the amounts required to be paid under the Note.

ARTICLE 2  
MAINTENANCE AND MODIFICATION OF THE PROPERTY  
AND SECURITY

Section 2.1 Maintenance and Modification of the Property by Trustor.

The Trustor agrees that at all times prior to full payment and performance of the Secured Obligations, the Trustor will, at the Trustor's own expense, maintain, preserve and keep the Security or cause the Security to be maintained and preserved in good condition. The Trustor will from time to time make or cause to be made all repairs, replacements and renewals deemed proper and necessary by it. The Beneficiary has no responsibility in any of these matters or for the making of improvements or additions to the Security.

Trustor agrees to pay fully and discharge (or cause to be paid fully and discharged) all claims for labor done and for material and services furnished in connection with the Security, diligently to file or procure the filing of a valid notice of cessation upon the event of a cessation of labor on the work or construction on the Security for a continuous period of thirty (30) days or more, and to take all other reasonable steps to forestall the assertion of claims of lien against the Security or any part thereof. Trustor irrevocably appoints, designates and authorizes Beneficiary as its agent (said agency being coupled with an interest) with the authority, but without any obligation, to file for record any notices of completion or cessation of labor or any other notice that Beneficiary deems necessary or desirable to protect its interest in and to the Security or the Loan Documents; provided, however, that Beneficiary exercises its rights as agent of Trustor only in the event that Trustor fails to take, or fails to diligently continue to take, those actions as hereinbefore provided.

Upon demand by Beneficiary, Trustor shall make or cause to be made such demands or claims as Beneficiary specifies upon laborers, materialmen, subcontractors or other persons who have furnished or claim to have furnished labor, services or materials in connection with the Security. Nothing herein contained requires Trustor to pay any claims for labor, materials or services which Trustor in good faith disputes and is diligently contesting provided that Trustor shall, within thirty (30) days after the filing of any claim of lien, record in the Office of the Recorder of Contra Costa County, a surety bond in an amount 1 and 1/2 times the amount of such claim item to protect against a claim of lien.

Section 2.2 Granting of Easements.

Trustor may not grant easements, licenses, rights-of-way or other rights or privileges in the nature of easements with respect to any property or rights included in the Security except those required or desirable for installation and maintenance of public utilities including, without limitation, water, gas, electricity, sewer, telephone and telegraph, or those required by law, and as approved, in writing, by Beneficiary.

### Section 2.3 Assignment of Rents.

As part of the consideration for the indebtedness evidenced by the Note, Trustor hereby absolutely and unconditionally assigns and transfers to Beneficiary all the rents and revenues of the Property including those now due, past due, or to become due by virtue of any lease or other agreement for the occupancy or use of all or any part of the Property, regardless of to whom the rents and revenues of the Property are payable, subject to the rights of senior lenders that are approved by the Beneficiary pursuant to the Loan Agreement. Trustor hereby authorizes Beneficiary or Beneficiary's agents to collect the aforesaid rents and revenues and hereby directs each tenant of the Property to pay such rents to Beneficiary or Beneficiary's agents; provided, however, that prior to written notice given by Beneficiary to Trustor of the breach by Trustor of any covenant or agreement of Trustor in the Loan Documents, Trustor shall collect and receive all rents and revenues of the Property as trustee for the benefit of Beneficiary and Trustor to apply the rents and revenues so collected to the Secured Obligations with the balance, so long as no such breach has occurred and is continuing, to the account of Trustor, it being intended by Trustor and Beneficiary that this assignment of rents constitutes an absolute assignment and not an assignment for additional security only. Upon delivery of written notice by Beneficiary to Trustor of the breach by Trustor of any covenant or agreement of Trustor in the Loan Documents, and without the necessity of Beneficiary entering upon and taking and maintaining full control of the Property in person, by agent or by a court-appointed receiver, Beneficiary shall immediately be entitled to possession of all rents and revenues of the Property as specified in this Section 2.3 as the same becomes due and payable, including but not limited to, rents then due and unpaid, and all such rents will immediately upon delivery of such notice be held by Trustor as trustee for the benefit of Beneficiary only; provided, however, that the written notice by Beneficiary to Trustor of the breach by Trustor contains a statement that Beneficiary exercises its rights to such rents. Trustor agrees that commencing upon delivery of such written notice of Trustor's breach by Beneficiary to Trustor, each tenant of the Property shall make such rents payable to and pay such rents to Beneficiary or Beneficiary's agents on Beneficiary's written demand to each tenant therefor, delivered to each tenant personally, by mail or by delivering such demand to each rental unit, without any liability on the part of said tenant to inquire further as to the existence of a default by Trustor.

Trustor hereby covenants that Trustor has not executed any prior assignment of said rents, other than as security to senior lenders, that Trustor has not performed, and will not perform, any acts or has not executed and will not execute, any instrument which would prevent Beneficiary from exercising its rights under this Section 2.3, and that at the time of execution of this Deed of Trust, there has been no anticipation or prepayment of any of the rents of the Property for more than two (2) months prior to the due dates of such rents. Trustor covenants that Trustor will not hereafter collect or accept payment of any rents of the Property more than two (2) months prior to the due dates of such rents. Trustor further covenants that, so long as the Secured Obligations are outstanding, Trustor will execute and deliver to Beneficiary such further assignments of rents and revenues of the Property as Beneficiary may from time to time request.

Upon Trustor's breach of any covenant or agreement of Trustor in the Loan Documents, Beneficiary may in person, by agent or by a court-appointed receiver, regardless of the adequacy of Beneficiary's security, enter upon and take and maintain full control of the Property in order to perform all acts necessary and appropriate for the operation and maintenance thereof including,

but not limited to, the execution, cancellation or modification of leases, the collection of all rents and revenues of the Property, the making of repairs to the Property and the execution or termination of contracts providing for the management or maintenance of the Property, all on such terms as are deemed best to protect the security of this Deed of Trust. In the event Beneficiary elects to seek the appointment of a receiver for the Property upon Trustor's breach of any covenant or agreement of Trustor in this Deed of Trust, Trustor hereby expressly consents to the appointment of such receiver. Beneficiary or the receiver will be entitled to receive a reasonable fee for so managing the Property.

All rents and revenues collected subsequent to delivery of written notice by Beneficiary to Trustor of the breach by Trustor of any covenant or agreement of Trustor in the Loan Documents are to be applied first to the costs, if any, of taking control of and managing the Property and collecting the rents, including, but not limited to, attorney's fees, receiver's fees, premiums on receiver's bonds, costs of repairs to the Property, premiums on insurance policies, taxes, assessments and other charges on the Property, and the costs of discharging any obligation or liability of Trustor as lessor or landlord of the Property and then to the sums secured by this deed of Trust. Beneficiary or the receiver is to have access to the books and records used in the operation and maintenance of the Property and will be liable to account only for those rents actually received. Beneficiary is not liable to Trustor, anyone claiming under or through Trustor or anyone having an interest in the Property by reason of anything done or left undone by Beneficiary under this Section 2.3.

If the rents of the Property are not sufficient to meet the costs, if any, of taking control of and managing the Property and collecting the rents, any funds expended by Beneficiary for such purposes will become part of the Secured Obligations pursuant to Section 3.3 hereof. Unless Beneficiary and Trustor agree in writing to other terms of payment, such amounts are payable by Trustor to Beneficiary upon notice from Beneficiary to Trustor requesting payment thereof and will bear interest from the date of disbursement at the rate stated in Section 3.3.

If the Beneficiary or the receiver enters upon and takes and maintains control of the Property, neither that act nor any application of rents as provided herein will cure or waive any default under this Deed of Trust or invalidate any other right or remedy available to Beneficiary under applicable law or under this Deed of Trust. This assignment of rents of the Property will terminate at such time as this Deed of Trust ceases to secure the Secured Obligations.

### ARTICLE 3 TAXES AND INSURANCE; ADVANCES

#### Section 3.1 Taxes, Other Governmental Charges and Utility Charges.

Trustor shall pay, or cause to be paid, prior to the date of delinquency, all taxes, assessments, charges and levies imposed by any public authority or utility company that are or may become a lien affecting the Security or any part thereof; provided, however, that Trustor is not required to pay and discharge any such tax, assessment, charge or levy so long as (a) the legality thereof is promptly and actively contested in good faith and by appropriate proceedings, and (b) Trustor maintains reserves adequate to pay any liabilities contested pursuant to this

Section 3.1. With respect to taxes, special assessments or other similar governmental charges, Trustor shall pay such amount in full prior to the attachment of any lien therefor on any part of the Security; provided, however, if such taxes, assessments or charges can be paid in installments, Trustor may pay in such installments. Except as provided in clause (b) of the first sentence of this paragraph, the provisions of this Section 3.1 may not be construed to require that Trustor maintain a reserve account, escrow account, impound account or other similar account for the payment of future taxes, assessments, charges and levies.

In the event that Trustor fails to pay any of the items required by this Section to be paid by Trustor, Beneficiary may (but is under no obligation to) pay the same, after the Beneficiary has notified the Trustor of such failure to pay and the Trustor fails to fully pay such items within seven (7) business days after receipt of such notice. Any amount so advanced therefor by Beneficiary, together with interest thereon from the date of such advance at the maximum rate permitted by law, will become part of the Secured Obligations secured hereby, and Trustor agrees to pay all such amounts.

Section 3.2 Provisions Respecting Insurance.

Trustor agrees to provide insurance conforming in all respects to that required under the Loan Documents during the course of construction and following completion, and at all times until all amounts secured by this Deed of Trust have been paid, all Secured Obligations secured hereunder have been fulfilled, and this Deed of Trust has been reconveyed.

All such insurance policies and coverages are to be maintained at Trustor's sole cost and expense. Certificates of insurance for all of the above insurance policies, showing the same to be in full force and effect, are to be delivered to the Beneficiary upon demand therefor at any time prior to Trustor's satisfaction of the Secured Obligations.

Section 3.3 Advances.

In the event the Trustor fails to maintain the full insurance coverage required by this Deed of Trust or fails to keep the Security in accordance with the Loan Documents, the Beneficiary, after at least seven (7) days prior notice to Trustor, may (but is under no obligation to) (i) take out the required policies of insurance and pay the premiums on the same, and (ii) make any repairs or replacements that are necessary and provide for payment thereof. All amounts so advanced by the Beneficiary will become part of the Secured Obligations (together with interest as set forth below) and will be secured hereby, which amounts the Trustor agrees to pay on the demand of the Beneficiary, and if not so paid, will bear interest from the date of the advance at the Default Rate.

ARTICLE 4  
DAMAGE, DESTRUCTION OR CONDEMNATION

Section 4.1 Awards and Damages.

Subject to the rights of senior lenders, all judgments, awards of damages, settlements and compensation made in connection with or in lieu of (1) the taking of all or any part of or any

interest in the Property by or under assertion of the power of eminent domain, (2) any damage to or destruction of the Property or any part thereof by insured casualty, and (3) any other injury or damage to all or any part of the Property (collectively, the "Funds") are hereby assigned to and are to be paid to the Beneficiary by a check made payable to the Beneficiary. The Beneficiary is authorized and empowered (but not required) to collect and receive any Funds and is authorized to apply them in whole or in part to any indebtedness or obligation secured hereby, in such order and manner as the Beneficiary determines at its sole option. The Beneficiary is entitled to settle and adjust all claims under insurance policies provided under this Deed of Trust and may deduct and retain from the proceeds of such insurance the amount of all expenses incurred by it in connection with any such settlement or adjustment. All or any part of the amounts so collected and recovered by the Beneficiary may be released to Trustor upon such conditions as the Beneficiary may impose for its disposition. Application of all or any part of the Funds collected and received by the Beneficiary or the release thereof will not cure or waive any default under this Deed of Trust. The rights of the Beneficiary under this Section 4.1 are subject to the rights of any senior mortgage lender. The Beneficiary shall release the Funds to Trustor to be used to reconstruct the improvements on the Property provided that Beneficiary reasonably determines that Trustor (taking into account the Funds) has sufficient funds to rebuild the improvements in substantially the form that existed prior to the casualty or condemnation.

ARTICLE 5  
AGREEMENTS AFFECTING THE PROPERTY; FURTHER  
ASSURANCES; PAYMENT OF PRINCIPAL AND INTEREST

Section 5.1    Other Agreements Affecting Property.

Trustor shall duly and punctually perform all terms, covenants, conditions and agreements binding upon it under the Loan Documents and any other agreement of any nature whatsoever now or hereafter involving or affecting the Security or any part thereof.

Section 5.2    Agreement to Pay Attorneys' Fees and Expenses.

In the event of any Event of Default (as defined in Section 7.1) hereunder, and if the Beneficiary employs attorneys or incurs other expenses for the collection of amounts due hereunder or the enforcement of performance or observance of an obligation or agreement on the part of the Trustor in this Deed of Trust, the Trustor agrees that it will, on demand therefor, pay to the Beneficiary the reasonable fees of such attorneys and such other reasonable expenses so incurred by the Beneficiary. Any such amounts paid by the Beneficiary will be added to the Secured Obligations, and will bear interest from the date such expenses are incurred at the Default Rate.

Section 5.3    Payment of the Principal.

The Trustor shall pay to the Beneficiary the Principal and any other payments as set forth in the Note in the amounts and by the times set out therein.

Section 5.4    Personal Property.

To the maximum extent permitted by law, the personal property subject to this Deed of Trust is deemed to be fixtures and part of the real property and this Deed of Trust constitutes a fixtures filing under the California Commercial Code. As to any personal property not deemed or permitted to be fixtures, this Deed of Trust constitutes a security agreement under the California Commercial Code.

Section 5.5 Financing Statement.

The Trustor shall execute and deliver to the Beneficiary such financing statements pursuant to the appropriate statutes, and any other documents or instruments as are required to convey to the Beneficiary a valid perfected security interest in the Security. The Trustor shall perform all acts that the Beneficiary reasonably requests so as to enable the Beneficiary to maintain a valid perfected security interest in the Security in order to secure the payment of the Note in accordance with its terms. The Beneficiary is authorized to file a copy of any such financing statement in any jurisdiction(s) as it deems appropriate from time to time in order to protect the security interest established pursuant to this instrument.

Section 5.6 Operation of the Security.

The Trustor shall operate the Security (and, in case of a transfer of a portion of the Security subject to this Deed of Trust, the transferee shall operate such portion of the Security) in full compliance with the Loan Documents.

Section 5.7 Inspection of the Security.

At any and all reasonable times upon seventy-two (72) hours' notice, the Beneficiary and its duly authorized agents, attorneys, experts, engineers, accountants and representatives, may inspect the Security, without payment of charges or fees.

Section 5.8 Nondiscrimination.

The Trustor herein covenants by and for itself, its heirs, executors, administrators, and assigns, and all persons claiming under or through them, that there will be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, age, sex, sexual orientation, marital status, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Security, nor will the Trustor itself or any person claiming under or through it establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees in the Security. The foregoing covenants run with the land.

ARTICLE 6  
HAZARDOUS WASTE

Trustor shall keep and maintain the Property (including, but not limited to, soil and ground water conditions) in compliance with all Hazardous Materials Laws and shall not cause or permit the Property to be in violation of any Hazardous Materials Law (defined below).

Trustor may not cause or permit the use, generation, manufacture, storage or disposal of on, under, or about the Property or transportation to or from the Property of (i) any substance, material, or waste that is petroleum, petroleum-related, or a petroleum by-product, asbestos or asbestos-containing material, polychlorinated biphenyls, flammable, explosive, radioactive, freon gas, radon, or a pesticide, herbicide, or any other agricultural chemical, and (ii) any waste, substance or material defined as or included in the definition of "hazardous substances," "hazardous wastes," "hazardous materials," "toxic materials", "toxic waste", "toxic substances," or words of similar import under any Hazardous Materials Law (collectively referred to hereinafter as "Hazardous Materials"), except such of the foregoing as may be customarily used in construction or operation of a multi-family residential development.

Trustor shall immediately advise Beneficiary in writing if at any time it receives written notice of: (i) any and all enforcement, cleanup, removal or other governmental or regulatory actions instituted, completed or threatened against Trustor or the Property pursuant to any applicable federal, state or local laws, ordinances, or regulations relating to any Hazardous Materials, health, industrial hygiene, environmental conditions, or the regulation or protection of the environment, and all amendments thereto as of this date and to be added in the future and any successor statute or rule or regulation promulgated thereto ("Hazardous Materials Law"); (ii) all claims made or threatened by any third party against Trustor or the Property relating to damage, contribution, cost recovery compensation, loss or injury resulting from any Hazardous Materials (the matters set forth in clauses (i) and (ii) above are hereinafter referred to as "Hazardous Materials Claims"); and (iii) Trustor's discovery of any occurrence or condition on any real property adjoining or in the vicinity of the Property that could cause the Property or any part thereof to be classified as "border-zone property" (as defined in California Health and Safety Code Section 25117.4) under the provision of California Health and Safety Code Section 25220 et seq., or any regulation adopted in accordance therewith, or to be otherwise subject to any restrictions on the ownership, occupancy, transferability or use of the Property under any Hazardous Materials Law.

Beneficiary has the right to join and participate in, as a party if it so elects, and be represented by counsel acceptable to Beneficiary (or counsel of its own choice if a conflict exists with Trustor) in, any legal proceedings or actions initiated in connection with any Hazardous Materials Claims, and to have its reasonable attorneys' fees in connection therewith paid by Trustor.

Trustor shall indemnify and hold harmless Beneficiary and its boardmembers, directors, officers, employees, agents, successors and assigns from and against any loss, damage, cost, fine, penalty, judgment, award, settlement, expense or liability, directly or indirectly arising out of or attributable to: (i) any actual or alleged past or present violation of any Hazardous Materials Law; (ii) any Hazardous Materials Claim; (iii) any actual or alleged past or present use, generation, manufacture, storage, release, threatened release, discharge, disposal, transportation, or presence of Hazardous Materials on, under, or about the Property; (iv) any investigation, cleanup, remediation, removal, or restoration work of site conditions of the Property relating to Hazardous Materials (whether on the Property or any other property); and (v) the breach of any representation of warranty by or covenant of Trustor in this Article, and Section 5.1(l) of the Loan Agreement. Such indemnity must include, without limitation: (x) all consequential damages; (y) the costs of any required or necessary investigation, repair, cleanup or

detrimental to the Property and the preparation and implementation of any closure, remedial or other required plans; and (z) all reasonable costs and expenses incurred by Beneficiary in connection with clauses (x) and (y), including but not limited to reasonable attorneys' fees and consultant fees. This indemnification applies whether or not any government agency has issued a cleanup order. Losses, claims, costs, suits, liability, and expenses covered by this indemnification provision include, but are not limited to: (1) losses attributable to diminution in the value of the Property; (2) loss or restriction of use of rentable space on the Property; (3) adverse effect on the marketing of any rental space on the Property; and (4) penalties and fines levied by, and remedial or enforcement actions of any kind issued by any regulatory agency (including but not limited to the costs of any required testing, remediation, repair, removal, cleanup or detoxification of the Property and surrounding properties). This obligation to indemnify will survive reconveyance of this Deed of Trust and will not be diminished or affected in any respect as a result of any notice, disclosure, knowledge, if any, to or by Beneficiary of Hazardous Materials.

Without Beneficiary's prior written consent, which may not be unreasonably withheld, Trustor may not take any remedial action in response to the presence of any Hazardous Materials on, under or about the Property, nor enter into any settlement agreement, consent decree, or other compromise in respect to any Hazardous Material Claims, which remedial action, settlement, consent decree or compromise might, in Beneficiary's reasonable judgment, impairs the value of the Beneficiary's security hereunder; provided, however, that Beneficiary's prior consent is not necessary in the event that the presence of Hazardous Materials on, under, or about the Property either poses an immediate threat to the health, safety or welfare of any individual or is of such a nature that an immediate remedial response is necessary and it is not reasonably possible to obtain Beneficiary's consent before taking such action, provided that in such event Trustor notifies Beneficiary as soon as practicable of any action so taken. Beneficiary agrees not to withhold its consent, where such consent is required hereunder, if (i) a particular remedial action is ordered by a court of competent jurisdiction; (ii) Trustor will or may be subjected to civil or criminal sanctions or penalties if it fails to take a required action; (iii) Trustor establishes to the reasonable satisfaction of Beneficiary that there is no reasonable alternative to such remedial action which would result in less impairment of Beneficiary's security hereunder; or (iv) the action has been agreed to by Beneficiary.

The Trustor hereby acknowledges and agrees that (i) this Article is intended as the Beneficiary's written request for information (and the Trustor's response) concerning the environmental condition of the Property as required by California Code of Civil Procedure Section 726.5, and (ii) each representation and warranty in this Deed of Trust or any of the other Loan Documents (together with any indemnity applicable to a breach of any such representation and warranty) with respect to the environmental condition of the property is intended by the Beneficiary and the Trustor to be an "environmental provision" for purposes of California Code of Civil Procedure Section 736.

In the event that any portion of the Property is determined to be "environmentally impaired" (as that term is defined in California Code of Civil Procedure Section 726.5(e)(3) or to be an "affected parcel" (as that term is defined in California Code of Civil Procedure Section 726.5(e)(1), then, without otherwise limiting or in any way affecting the Beneficiary's or the Trustee's rights and remedies under this Deed of Trust, the Beneficiary may elect to exercise its

rights under California Code of Civil Procedure Section 726.5(a) to (1) waive its lien on such environmentally impaired or affected portion of the Property and (2) exercise (a) the rights and remedies of an unsecured creditor, including reduction of its claim against the Trustor to judgment, and (b) any other rights and remedies permitted by law. For purposes of determining the Beneficiary's right to proceed as an unsecured creditor under California Code of Civil Procedure Section 726.5(a), the Trustor will be deemed to have willfully permitted or acquiesced in a release or threatened release of hazardous materials, within the meaning of California Code of Civil Procedure Section 726.5(d)(1), if the release or threatened release of hazardous materials was knowingly or negligently caused or contributed to by any lessee, occupant, or user of any portion of the Property and the Trustor knew or should have known of the activity by such lessee, occupant, or user which caused or contributed to the release or threatened release. All costs and expenses, including (but not limited to) attorneys' fees, incurred by the Beneficiary in connection with any action commenced under this paragraph, including any action required by California Code of Civil Procedure Section 726.5(b) to determine the degree to which the Property is environmentally impaired, plus interest thereon at the Default Rate until paid, will be added to the indebtedness secured by this Deed of Trust and will be due and payable to the Beneficiary upon its demand made at any time following the conclusion of such action.

## ARTICLE 7 EVENTS OF DEFAULT AND REMEDIES

### Section 7.1 Events of Default.

The following are events of default following the expiration of any applicable notice and cure periods (each an "Event of Default"): (i) failure to make any payment to be paid by Trustor under the Loan Documents; (ii) failure to observe or perform any of Trustor's other covenants, agreements or obligations under the Loan Documents, including, without limitation, the provisions concerning discrimination; (iii) failure to make any payment or observe or perform any of Trustor's other covenants, agreements, or obligations under any Secured Obligations, which default is not cured within the times and in the manner provided therein; and (iv) failure to make any payments or observe or perform any of Trustor's other covenants, agreements or obligations under any other debt instrument or regulatory agreement secured by the Property, which default is not cured within the time and in the manner provided therein.

### Section 7.2 Acceleration of Maturity.

If an Event of Default has occurred and is continuing, then at the option of the Beneficiary, the amount of any payment related to the Event of Default and all unpaid Secured Obligations are immediately due and payable, and no omission on the part of the Beneficiary to exercise such option when entitled to do so may be construed as a waiver of such right.

### Section 7.3 The Beneficiary's Right to Enter and Take Possession.

If an Event of Default has occurred and is continuing, the Beneficiary may:

(a) Either in person or by agent, with or without bringing any action or proceeding, or by a receiver appointed by a court, and without regard to the adequacy of its

security, enter upon the Property and take possession thereof (or any part thereof) and of any of the Security, in its own name or in the name of Trustee, and do any acts that it deems necessary or desirable to preserve the value or marketability of the Property, or part thereof or interest therein, increase the income therefrom or protect the security thereof. The entering upon and taking possession of the Security will not cure or waive any Event of Default or Notice of Sale (as defined in Section 7.3(c), below) hereunder or invalidate any act done in response to such Event of Default or pursuant to such Notice of Sale, and, notwithstanding the continuance in possession of the Security, Beneficiary will be entitled to exercise every right provided for in this Deed of Trust, or by law upon occurrence of any Event of Default, including the right to exercise the power of sale;

(b) Commence an action to foreclose this Deed of Trust as a mortgage, appoint a receiver, or specifically enforce any of the covenants hereof;

(c) Deliver to Trustee a written declaration of an Event of Default and demand for sale, and a written notice of default and election to cause Trustor's interest in the Security to be sold ("Notice of Sale"), which notice Trustee or Beneficiary shall cause to be duly filed for record in the Official Records of Contra Costa County; or

(d) Exercise all other rights and remedies provided herein, in the instruments by which the Trustor acquires title to any Security, or in any other document or agreement now or hereafter evidencing, creating or securing the Secured Obligations.

#### Section 7.4 Foreclosure By Power of Sale.

Should the Beneficiary elect to foreclose by exercise of the power of sale herein contained, the Beneficiary shall deliver to the Trustee the Notice of Sale and shall deposit with Trustee this Deed of Trust which is secured hereby (and the deposit of which will be deemed to constitute evidence that the Secured Obligations are immediately due and payable), and such receipts and evidence of any expenditures made that are additionally secured hereby as Trustee may require.

(a) Upon receipt of the Notice of Sale from the Beneficiary, Trustee shall cause to be recorded, published and delivered to Trustor such Notice of Sale as is then required by law and by this Deed of Trust. Trustee shall, without demand on Trustor, after the lapse of that amount of time as is then required by law and after recordation of such Notice of Sale as required by law, sell the Security, at the time and place of sale set forth in the Notice of Sale, whether as a whole or in separate lots or parcels or items, as Trustee deems expedient and in such order as it determines, unless specified otherwise by the Trustor according to California Civil Code Section 2924g(b), at public auction to the highest bidder, for cash in lawful money of the United States payable at the time of sale. Trustee shall deliver to such purchaser or purchasers thereof its good and sufficient deed or deeds conveying the property so sold, but without any covenant or warranty, express or implied. The recitals in such deed or any matters of facts will be conclusive proof of the truthfulness thereof. Any person, including, without limitation, Trustor, Trustee or Beneficiary, may purchase at such sale.

(b) After deducting all reasonable costs, fees and expenses of Trustee, including costs of evidence of title in connection with such sale, Trustee shall apply the proceeds of sale to payment of: (i) the unpaid Principal amount of the Note; (ii) all other Secured Obligations owed to Beneficiary under the Loan Documents; (iii) all other sums then secured hereby; and (iv) the remainder, if any, to Trustor.

(c) Trustee may postpone sale of all or any portion of the Property by public announcement at such time and place of sale, and from time to time thereafter, and without further notice make such sale at the time fixed by the last postponement, or may, in its discretion, give a new Notice of Sale.

#### Section 7.5 Receiver.

If an Event of Default occurs and is continuing, Beneficiary, as a matter of right and without further notice to Trustor or anyone claiming under the Security, and without regard to the then value of the Security or the interest of Trustor therein, may apply to any court having jurisdiction to appoint a receiver or receivers of the Security (or a part thereof), and Trustor hereby irrevocably consents to such appointment and waives further notice of any application therefor. Any such receiver or receivers will have all the usual powers and duties of receivers in like or similar cases, and all the powers and duties of Beneficiary in case of entry as provided herein, and will continue as such and exercise all such powers until the date of confirmation of sale of the Security, unless such receivership is sooner terminated.

#### Section 7.6 Remedies Cumulative.

No right, power or remedy conferred upon or reserved to the Beneficiary by this Deed of Trust is intended to be exclusive of any other right, power or remedy, but each and every such right, power and remedy will be cumulative and concurrent and will be in addition to any other right, power and remedy given hereunder or now or hereafter existing at law or in equity.

#### Section 7.7 No Waiver.

(a) No delay or omission of the Beneficiary to exercise any right, power or remedy accruing upon any Event of Default will exhaust or impair any such right, power or remedy, and may not be construed to be a waiver of any such Event of Default or acquiescence therein; and every right, power and remedy given by this Deed of Trust to the Beneficiary may be exercised from time to time and as often as may be deemed expeditious by the Beneficiary. Beneficiary's express or implied consent to breach, or waiver of, any obligation of the Trustor hereunder will not be deemed or construed to be a consent to any subsequent breach, or further waiver, of such obligation or of any other obligations of the Trustor hereunder. Failure on the part of the Beneficiary to complain of any act or failure to act or to declare an Event of Default, irrespective of how long such failure continues, will not constitute a waiver by the Beneficiary of its right hereunder or impair any rights, power or remedies consequent on any Event of Default by the Trustor.

(b) If the Beneficiary (i) grants forbearance or an extension of time for the payment or performance of any Secured Obligation, (ii) takes other or additional security or the payment of any sums secured hereby, (iii) waives or does not exercise any right granted in the

Loan Documents, (iv) releases any part of the Security from the lien of this Deed of Trust, or otherwise changes any of the terms, covenants, conditions or agreements in the Loan Documents, (v) consents to the granting of any easement or other right affecting the Security, or (vi) makes or consents to any agreement subordinating the lien hereof, any such act or omission will not release, discharge, modify, change or affect the original liability under this Deed of Trust, or any other obligation of the Trustor or any subsequent purchaser of the Security or any part thereof, or any maker, co-signer, endorser, surety or guarantor (unless expressly released); nor will any such act or omission preclude the Beneficiary from exercising any right, power or privilege herein granted or intended to be granted in any Event of Default then made or of any subsequent Event of Default, nor, except as otherwise expressly provided in an instrument or instruments executed by the Beneficiary, will the lien of this Deed of Trust be altered thereby.

Section 7.8 Suits to Protect the Security.

The Beneficiary has the power to (a) institute and maintain such suits and proceedings as it may deem expedient to prevent any impairment of the Security and the rights of the Beneficiary as may be unlawful or any violation of this Deed of Trust, (b) preserve or protect its interest (as described in this Deed of Trust) in the Security, and (c) restrain the enforcement of or compliance with any legislation or other governmental enactment, rule or order that may be unconstitutional or otherwise invalid, if the enforcement for compliance with such enactment, rule or order would impair the Security thereunder or be prejudicial to the interest of the Beneficiary.

Section 7.9 Trustee May File Proofs of Claim.

In the case of any receivership, insolvency, bankruptcy, reorganization, arrangement, adjustment, composition or other proceedings affecting the Trustor, its creditors or its property, the Beneficiary, to the extent permitted by law, will be entitled to file such proofs of claim and other documents as may be necessary or advisable in order to have the claims of the Beneficiary allowed in such proceedings and for any additional amount that becomes due and payable by the Trustor hereunder after such date.

Section 7.10 Waiver.

The Trustor waives presentment, demand for payment, notice of dishonor, notice of protest and nonpayment, protest, notice of interest on interest and late charges, and diligence in taking any action to collect any Secured Obligations or in proceedings against the Security, in connection with the delivery, acceptance, performance, default, endorsement or guaranty of this Deed of Trust.

ARTICLE 8  
MISCELLANEOUS

Section 8.1 Amendments.

This Deed of Trust cannot be waived, changed, discharged or terminated orally, but only by an instrument in writing signed by Beneficiary and Trustor.

Section 8.2 Reconveyance by Trustee.

Upon written request of Beneficiary stating that all Secured Obligations have been paid or forgiven, and all obligations under the Loan Documents have been performed in full, and upon surrender of this Deed of Trust to Trustee for cancellation and retention, and upon payment by Trustor of Trustee's reasonable fees, Trustee shall reconvey the Security to Trustor, or to the person or persons legally entitled thereto.

Section 8.3 Notices.

If at any time after the execution of this Deed of Trust it becomes necessary or convenient for one of the parties hereto to serve any notice, demand or communication upon the other party, such notice, demand or communication must be in writing and is to be served personally or by depositing the same in the registered United States mail, return receipt requested, postage prepaid and (1) if intended for Beneficiary is to be addressed to:

County of Contra Costa  
Department of Conservation and Development  
30 Muir Road  
Martinez, CA 94553  
Attention: Affordable Housing Program Manager

and (2) if intended for Trustor is to be addressed to:

Tabora Gardens, L.P.  
c/o Satellite Affordable Housing Associates  
1835 Alcatraz Avenue  
Berkeley, CA 94703

Any notice, demand or communication will be deemed given, received, made or communicated on the date personal delivery is effected or, if mailed in the manner herein specified, on the delivery date or date delivery is refused by the addressee, as shown on the return receipt. Either party may change its address at any time by giving written notice of such change to Beneficiary or Trustor as the case may be, in the manner provided herein, at least ten (10) days prior to the date such change is desired to be effective.

Section 8.4 Successors and Joint Trustors.

Where an obligation created herein is binding upon Trustor, the obligation also applies to and binds any transferee or successors in interest. Where the terms of the Deed of Trust have the

effect of creating an obligation of the Trustor and a transferee, such obligation will be deemed to be a joint and several obligation of the Trustor and such transferee. Where Trustor is more than one entity or person, all obligations of Trustor will be deemed to be a joint and several obligation of each and every entity and person comprising Trustor.

Section 8.5 Captions.

The captions or headings at the beginning of each Section hereof are for the convenience of the parties and are not a part of this Deed of Trust.

Section 8.6 Invalidity of Certain Provisions.

Every provision of this Deed of Trust is intended to be severable. In the event any term or provision hereof is declared to be illegal or invalid for any reason whatsoever by a court or other body of competent jurisdiction, such illegality or invalidity will not affect the balance of the terms and provisions hereof, which terms and provisions will remain binding and enforceable. If the lien of this Deed of Trust is invalid or unenforceable as to any part of the debt, or if the lien is invalid or unenforceable as to any part of the Security, the unsecured or partially secured portion of the debt, and all payments made on the debt, whether voluntary or under foreclosure or other enforcement action or procedure, will be considered to have been first paid or applied to the full payment of that portion of the debt that is not secured or partially secured by the lien of this Deed of Trust.

Section 8.7 Governing Law.

This Deed of Trust is governed by the laws of the State of California.

Section 8.8 Gender and Number.

In this Deed of Trust the singular includes the plural and the masculine includes the feminine and neuter and vice versa, if the context so requires.

Section 8.9 Deed of Trust, Mortgage.

Any reference in this Deed of Trust to a mortgage also refers to a deed of trust and any reference to a deed of trust also refers to a mortgage.

Section 8.10 Actions.

Trustor shall appear in and defend any action or proceeding purporting to affect the Security.

Section 8.11 Substitution of Trustee.

Beneficiary may from time to time substitute a successor or successors to any Trustee named herein or acting hereunder to execute this Trust. Upon such appointment, and without conveyance to the successor trustee, the latter will be vested with all title, powers, and duties conferred upon any Trustee herein named or acting hereunder. Each such appointment and substitution is to be made by written instrument executed by Beneficiary, containing reference to

this Deed of Trust and its place of record, which, when duly recorded in the proper office of the county or counties in which the Property is situated, will be conclusive proof of proper appointment of the successor trustee.

Section 8.12 Statute of Limitations.

The pleading of any statute of limitations as a defense to any and all obligations secured by this Deed of Trust is hereby waived to the full extent permissible by law.

Section 8.13 Acceptance by Trustee.

Trustee accepts this Trust when this Deed of Trust, duly executed and acknowledged, is made public record as provided by law. Except as otherwise provided by law, the Trustee is not obligated to notify any party hereto of a pending sale under this Deed of Trust or of any action or proceeding in which Trustor, Beneficiary, or Trustee is a party unless brought by Trustee.

Section 8.14 Tax Credit Provisions.

Notwithstanding anything to the contrary contained herein or in any documents secured by this Deed of Trust or contained in any subordination agreement, and to the extent applicable, the Beneficiary acknowledges and agrees that in the event of a foreclosure or deed-in-lieu of foreclosure (collectively, "Foreclosure") with respect to the Security encumbered by this Deed of Trust, the following rule contained in 26 U.S.C. Section 42(h)(6)(E)(ii), as amended, applies:

For a period of three (3) years from the date of Foreclosure, with respect to an existing tenant of any low-income unit, (i) such tenant may not be subject to eviction or termination of their tenancy (other than for good cause), (ii) nor may such tenant's gross rent with respect to such unit be increased, except as otherwise permitted under Section 42 of the Internal Revenue Code.

***Remainder of Page Left Intentionally Blank***

IN WITNESS WHEREOF, Trustor has executed this Deed of Trust as of the day and year first above written.

Tabora Gardens, L.P.,  
a California limited partnership

By: Satellite AHA Development, Inc.  
a California nonprofit public benefit  
corporation, its general partner

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

Its: \_\_\_\_\_



EXHIBIT A

LEGAL DESCRIPTION

The land is situated in the State of California, County of Contra Costa, and is described as follows:

PROMISSORY NOTE  
(HOPWA Loan)

\$650,000

Martinez, California  
April 1, 2016

FOR VALUE RECEIVED, the undersigned Tabora Gardens, L.P., a California limited partnership ("Borrower") hereby promises to pay to the order of the County of Contra Costa, a political subdivision of the State of California ("Holder"), the principal amount of Six Hundred Fifty Thousand Dollars (\$650,000) plus interest thereon pursuant to Section 2 below.

All capitalized terms used but not defined in this Note have the meanings set forth in the Loan Agreement.

1. Borrower's Obligation. This Note evidences Borrower's obligation to repay Holder the principal amount of Six Hundred Fifty Thousand Dollars (\$650,000) with interest for the funds loaned to Borrower by Holder to finance Predevelopment Costs of the Development pursuant to the HOPWA Loan Agreement between Borrower and Holder of even date herewith (the "Loan Agreement").

2. Interest.

(a) Loan. Subject to the provisions of Subsection (b) below, no interest will accrue on the outstanding principal balance of the Loan.

(b) Default Interest. If an Event of Default occurs, interest will accrue on all amounts due under this Note at the Default Rate until such Event of Default is cured by Borrower or waived by Holder.

3. Term and Repayment Requirements. Principal and interest under this Note is due and payable as set forth in Section 2.6 of the Loan Agreement. Subject to Section 2.6(b) of the Loan Agreement, the unpaid principal balance hereunder, together with accrued interest thereon, is due and payable no later than the date that is earlier of: (i) December 31, 2016, and (ii) the date of the Construction Closing.

4. No Assumption. This Note is not assumable by the successors and assigns of Borrower without the prior written consent of Holder, except as provided in the Loan Agreement.

5. Security. This Note, with interest, is secured by the Deed of Trust. Upon execution, the Deed of Trust will be recorded in the official records of Contra Costa County, California. Upon recordation of the Deed of Trust, this Note will become nonrecourse to Borrower, pursuant to and except as provided in Section 2.7 of the Loan Agreement which Section 2.7 is hereby incorporated into this Note. The terms of the Deed of Trust are hereby incorporated into this Note and made a part hereof.

6. Terms of Payment.

(a) Borrower shall make all payments due under this Note in currency of the United States of America to Holder at Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553, Attention: Affordable Housing Program Manager, or to such other place as Holder may from time to time designate.

(b) All payments on this Note are without expense to Holder. Borrower shall pay all costs and expenses, including re-conveyance fees and reasonable attorney's fees of Holder, incurred in connection with the payment of this Note and the release of any security hereof.

(c) Notwithstanding any other provision of this Note, or any instrument securing the obligations of Borrower under this Note, if, for any reason whatsoever, the payment of any sums by Borrower pursuant to the terms of this Note would result in the payment of interest that exceeds the amount that Holder may legally charge under the laws of the State of California, then the amount by which payments exceed the lawful interest rate will automatically be deducted from the principal balance owing on this Note, so that in no event is Borrower obligated under the terms of this Note to pay any interest that would exceed the lawful rate.

(d) The obligations of Borrower under this Note are absolute and Borrower waives any and all rights to offset, deduct or withhold any payments or charges due under this Note for any reason whatsoever.

7. Event of Default; Acceleration.

(a) Upon the occurrence of an Event of Default, the entire unpaid principal balance, together with all interest thereon, and together with all other sums then payable under this Note and the Deed of Trust will, at the option of Holder, become immediately due and payable without further demand.

(b) Holder's failure to exercise the remedy set forth in Subsection 7(a) above or any other remedy provided by law upon the occurrence of an Event of Default does not constitute a waiver of the right to exercise any remedy at any subsequent time in respect to the same or any other Event of Default. The acceptance by Holder of any payment that is less than the total of all amounts due and payable at the time of such payment does not constitute a waiver of the right to exercise any of the foregoing remedies or options at that time or at any subsequent time, or nullify any prior exercise of any such remedy or option, without the express consent of Holder, except as and to the extent otherwise provided by law.

8. Waivers.

(a) Borrower hereby waives diligence, presentment, protest and demand, and notice of protest, notice of demand, notice of dishonor and notice of non-payment of this Note. Borrower expressly agrees that this Note or any payment hereunder may be extended from time to time, and that Holder may accept further security or release any security for this Note, all without in any way affecting the liability of Borrower.

(b) Any extension of time for payment of this Note or any installment hereof made by agreement of Holder with any person now or hereafter liable for payment of this Note must not operate to release, discharge, modify, change or affect the original liability of Borrower under this Note, either in whole or in part.

9. Miscellaneous Provisions.

(a) All notices to Holder or Borrower are to be given in the manner and at the addresses set forth in the Loan Agreement, or to such addresses as Holder and Borrower may therein designate.

(b) Borrower promises to pay all costs and expenses, including reasonable attorney's fees, incurred by Holder in the enforcement of the provisions of this Note, regardless of whether suit is filed to seek enforcement.

(c) This Note is governed by the laws of the State of California.

(d) The times for the performance of any obligations hereunder are to be strictly construed, time being of the essence.

(e) The Loan Documents, of which this Note is a part, contain the entire agreement between the parties as to the Loan. This Note may not be modified except upon the written consent of the parties.

IN WITNESS WHEREOF, Borrower is executing this Promissory Note as of the day and year first above written.

Tabora Gardens, L.P.,  
a California limited partnership

By: Satellite AHA Development, Inc.  
a California nonprofit public benefit  
corporation, its general partner

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

Its: \_\_\_\_\_



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: April 12, 2016

Subject: Purchase Order - Spike's Produce

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order amendment with Spike's Produce, to increase the payment limit by \$150,000 to a new payment limit of \$500,000 to provide food products for the preparation of inmate meals in the three County adult detention facilities for the period July 1, 2015 through June 30, 2016.

**FISCAL IMPACT:**

Increase of \$150,000 to a \$500,000 maximum purchase order amount. 100% County General Fund; Budgeted FY 15/16.

**BACKGROUND:**

Spike's Produce is a locally owned and operated small business that provides low-cost produce to all three adult detention facilities. These deliveries occur in the early morning, making it essential to have a low-cost, local solution. Other vendors could not meet the daily delivery service requirements necessary while maintaining low prices and high quality of fresh produce. This blanket purchase order will ensure timely delivery of essential food products for meals served at adult detention facilities.

**CHILDREN'S IMPACT STATEMENT:**

No impact.

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Liz Arbuckle, (925)  
335-1529

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

By: , Deputy

cc: Liz Arbuckle, Heike Anderson, Tim Ewell



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: April 12, 2016

Subject: Biennial Compliance Checklist and Capital Improvement Program for Measure J-2004 Growth Management Program

---

**RECOMMENDATION(S):**

1. FIND that the proposed 2016-2022 Capital Improvement Program (CIP) for Parks and Sheriff Facilities is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) of the CEQA Guidelines (see Exhibit A);
2. ADOPT the 2016-2022 CIP for Parks and Sheriff Facilities (see Exhibit B), pursuant to the requirements of the Measure J Growth Management Program;
3. APPROVE the completed Biennial Compliance Checklist (Checklist) (see Exhibit C), and FIND that the County's policies and programs conform to the requirements for compliance with the Contra Costa Transportation and Improvement and Growth Management Program as established by Measure C in 1988 and reauthorized by Measure J in 2004; and
4. AUTHORIZE the Chair of the Board of Supervisors to sign the completed Checklist.

**FISCAL IMPACT:**

Adoption of the CIP for Parks and Sheriff Facilities and the approval of the Checklist will qualify the County to receive its Fiscal Year 2015/2016 and 2016/2017 allocations of Measure J "return to source" revenue, estimated to be approximately \$2 million annually.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Robert Sarmiento  
(925)674-7822

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

By: , Deputy

cc:

### FISCAL IMPACT: (CONT'D)

The Contra Costa Transportation Authority (CCTA), the Congestion Management Agency in the County also uses the Checklist to demonstrate compliance with the State Congestion Management Act (Government Code §65088 et. seq.). The State will withhold a portion of the state gas tax (Street and Highways Code §2105) to cities and counties that fail to comply with the Congestion Management Act. The County receives approximately \$4.5 million annually from this revenue source, which is dedicated to transportation purposes.

### BACKGROUND:

The County biennially submits a compliance checklist to CCTA to receive the County's portion (18 percent) of the sale tax funds available for local street maintenance and improvements. Two related actions must precede completion and submission of the Checklist:

1. CEQA review of the proposed 2016-2022 Capital Improvement Program (CIP) for Parks and Sheriff Facilities; and
2. Adoption of the CIP for Parks and Sheriff Facilities, pursuant to the requirements of the Measure J Growth Management Program.

### CEQA Analysis

To comply with CEQA, staff has found, pursuant to adopted County CEQA Guidelines, that the CIP for Parks and Sheriff Facilities is not subject to CEQA (see Exhibit A). This follows from the general rule that CEQA applies only to projects that have the potential to cause significant adverse effects to the environment. All capital facilities programmed are either fully committed, constructed, awaiting occupancy, or undergoing separate environmental review.

Under the provision of §15061(b)3, of the State and County CEQA guidelines, it can be seen with certainty that there is no possibility that adoption of the CIP for Parks and Sheriff Facilities could have a significant effect on the environment.

### Development Mitigation Program

The CIP (see Exhibit B) is adopted pursuant to the requirements of the Measure J Growth Management Program and authorized by Implementation Measure 4-n of the County General Plan. Any capital project sponsored by the County and necessary to maintain adopted levels of performance must be identified in a CIP with a minimum programming period of five years. Funding sources for the complete cost of the improvements, and phasing, if any, must also be identified in the CIP. The CIP demonstrates that development anticipated between 2016-2022 will maintain compliance with the performance standards for parks and sheriff facilities.

A seven-year programming period is used to be consistent with the County's other capital improvement programs. The CIP is a summary of Parks and Sheriff Facilities and was prepared as part of the County's Development Mitigation Program.

Table 5 of the CIP shows that no expansion of Sheriff Facilities is proposed for the seven-year period for patrol and investigation use. The existing "surplus" capacity is projected to be sufficient to accommodate population growth during this period.

### Checklist

The Checklist (see Exhibit C) covers the compliance reporting period from January 1, 2014 to December 31, 2015. The County has satisfied all Checklist requirements during 2014 and 2015. Performance standards for urban services in the unincorporated area were maintained. The County implemented all the required plans, programs and ordinances for mitigating local and regional transportation impacts of development projects, implemented the adopted Housing Element, and constructed the necessary capital improvements for urban services.

County voters approved an Urban Limit Line measure in 2006 and the County complied with the provisions of the measure during 2014 and 2015. The Board of Supervisors has participated in or taken actions during the reporting period, consistent with the multi-jurisdictional transportation planning process established by Measure J.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to adopt the CIP for Park and Sheriff Facilities or approve the Checklist will prevent the County from qualifying for its Fiscal Year allocation for 2015/2016 of "return to source" funds and state gas tax funds. Funds will be available for allocation beginning June 30, 2016.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Exhibit A - CEQA Determination

Exhibit B- Development Mitigation Program -Capital Improvement Program (Parks and Sheriff Facilities)

Exhibit C - Checklist

# EXHIBIT A

## DETERMINATION THAT AN ACTIVITY IS NOT A PROJECT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

### FILE NO. CP 16-03

**ACTIVITY NAME:** Adoption of 2016-2022 Contra Costa County Development Mitigation Program: Capital Improvement Program for Parks and Sheriff Facilities

**PREPARED BY:** Robert Sarmiento

**DATE:** April 12, 2016

---

This activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b) of Chapter 3 of the State CEQA Guidelines.

It can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

### **DESCRIPTION OF ACTIVITY:**

The adoption of a Capital Improvements Program for the provision of Parks and Sheriff facilities in order to demonstrate compliance with the provisions of Measure J-2004. No significant change in the environment will result from the adoption of this program: all capital facilities programmed are either fully committed or constructed, awaiting occupancy or are undergoing separate environmental review. Projects which may be funded in the future consistent with, or under this program, which are as yet undefined, will be subject to review under the California Environmental Quality Act.

### **LOCATION:**

Countywide in the County of Contra Costa, State of California.

**Date:** April 12, 2016

**Reviewed by:** \_\_\_\_\_  
Conservation and Development Department Representative

**EXHIBIT B**

Contra Costa County  
Development Mitigation Program

2016 – 2022

Capital Improvement Program for  
Parks and Sheriff Facilities  
Pursuant to Measure J Growth Management Program

Prepared by

Contra Costa County  
Department of Conservation and Development

March 2016

## I. INTRODUCTION

This document is Contra Costa County's Capital Improvement Program (*CIP*) for providing park and Sheriff Facilities in the unincorporated area of the County, pursuant to the requirements of the Measure J Growth Management Program. A companion document, the *County Road Improvement & Preservation Program*, describes transportation projects to mitigate the transportation impacts of new development. Both documents respond to the requirements of the *County General Plan* and the Contra Costa Transportation Authority's (CCTA) growth management program that was initiated with the Measure C transportation sales tax in 1988, and reauthorized in Measure J in 2004.

The *County General Plan* includes a *Growth Management Element*, which has performance standards for urban services (i.e. roads, sewers, water police, fire, parks and flood control). New development needs to demonstrate that it meets these performance standards or such development cannot be approved. The County is responsible for providing the following urban services in the unincorporated area: roads, police, and parks. The *Growth Management Element* requires that capital projects sponsored by the County necessary to maintain the performance standards for these three urban services shall be identified in the five-year Capital Improvement Program (CIP). Funding sources for the complete cost of the improvement and phasing, if any, shall also be identified.

The Measure J growth management program requires local jurisdictions to develop a five-year capital improvement program. It is CCTA policy that all capital improvement programs be amended, taking into account changes in project costs, funding sources, project development, and timing. Jurisdictions can avoid annual updates by developing longer range capital improvement programs. The County has elected to use a seven-year horizon for the *CIP*.

### CONTENTS OF THIS DOCUMENT:

The *CIP* is based on a seven-year horizon, 2016-2022 growth estimates for that time period are presented in **Section II**.

**Section III** of the CIP reviews the performance standards, which were established by the *Growth Management Element* of the *Contra Costa County General Plan*, and describes the status of County's compliance with these standards based on the estimated population growth.

**Section IV** describes the program facilities needed to meet the demands of future growth as dictated by the performance standards set forth in the *Growth Management Element*.

## II. POPULATION ESTIMATES

Table 1 provides an estimate of past population growth in the unincorporated area since adoption of the County's *Growth Management Element* in 1991. It also describes projected population growth for the seven-year period of the *CIP*, 2016-2022. The projected population growth is based on information received from the Housing Element of the County General Plan. These forecasts are based on ABAG's projected population estimates, as adjusted by the Department of Conservation and Development to reflect the actual growth recorded on the unincorporated area between 1991 and 2015.

**TABLE 1**  
**PAST AND PROJECTED POPULATION GROWTH**  
**IN UNINCORPORATED CONTRA COSTA\***

AREA	1991-2015	2016-2022
<b>East County</b>	<b>12,030**</b>	<b>1,069</b>
<b>Central County</b>	<b>16,189***</b>	<b>908</b>
<b>West County</b>	<b>4,488</b>	<b>1,248</b>
<b>TOTAL</b>	<b>32,707</b>	<b>3,225</b>

\* Sources: 2010 Census, Projected 2020 and 2030 estimated provided by the Association of Bay Area Governments and refined by CCC Department of Conservations and Development.

\*\* Includes growth in Oakley up to the year 2000.

\*\*\* Does not include growth in Dougherty Valley, which ABAG assigns to the City of San Ramon.

### **III. GROWTH MANAGEMENT PERFORMANCE STANDARDS**

The *Growth Management Element* establishes standards for the provision of certain public services in the unincorporated areas. These performance standards are applied to all development that was approved since the adoption of the *County General Plan* in January 1991. The standards apply to the entire unincorporated area, countywide.

**Park Facilities:** The growth management standard for park facilities is three acres of neighborhood parks per 1,000 population. Table 2 evaluates this standard as of 2015. This evaluation is based on population growth for the 1991 - 2015 time period and the park acreage opened during that period.

Parks are financed largely by park dedication fees assessed against new development in the unincorporated area. A Park Impact Fee Nexus Study was approved by the Board in 2007 and fees were updated shortly thereafter. Fees range from \$3,955 to \$7,238, depending on dwelling type and location. Unless otherwise indicated, the parks shown on Table 4 occur on County-owned parcels or land dedicated by developers to the County. Expenditures are for park improvements only.

Since January 1991, the County has opened approximately 145 acres of new park facilities that meet the neighborhood park classification. Actual park construction exceeded the growth management standard by 47 acres. These facilities represent a broad range of accomplishments, including contribution to joint school/park facilities, pro-rated credit for park facilities of cities or special districts funded partially by County revenues or land-dedication, and linear parks that serve the local area. See Appendix A for a description of these park facilities.

**TABLE 2**  
**EVALUATION OF COMPLIANCE**  
**WITH THE PARK FACILITIES STANDARD AS OF 2015**

REQUIRED FACILITIES	FACILITIES OPENED	SURPLUS/(DEFICIT)
<b>98 acres</b>	<b>145 acres</b>	<b>47 acres</b>

**Sheriff Facilities:** The growth management standard for Sheriff facilities is 155 square feet of patrol and investigation facilities per 1,000 population.

Table 3 evaluates compliance with the performance standard as of 2015. The evaluation is based on population growth for 1991-2015 time period and the square footage of Sheriff Facilities opened as of 2015. The population growth between 1991 and 2015 created a demand for 5,069 square feet of patrol, investigation and support facilities. Since 1991, the County has opened 74,892 square feet of facilities that serve patrol, investigation and support activities. Actual Sheriff Facility construction exceeded the growth management standard by 69,823 square feet. See Appendix B for the inventory of Sheriff Facilities.

**TABLE 3  
EVALUATION OF COMPLIANCE  
WITH SHERIFF FACILITIES STANDARD AS OF 2015**

REQUIRED FACILITIES	FACILITIES OPENED	SURPLUS/ (DEFICIT)
5,069 sq.ft.	74,892 sq.ft.	69,823 sq.ft.

#### **IV. SEVEN-YEAR PROGRAM FOR PARK AND SHERIFF FACILITIES**

The County’s *Growth Management Element* and CCTA’s Measure J growth management program requires that capital improvement programs include approved projects, their estimated costs and a financial plan for providing the improvements. This section describes a seven-year program of projects to maintain compliance with the County’s adopted growth management standards for park and sheriff facilities.

**Park Facilities:** The projected growth during the 2016-2022 time period will generate the need for 10 acres of neighborhood and community parks. Table 4 describes the park facilities programmed for construction during the 2016-2022 time period. A total of a little more than 36 acres of neighborhood parks are programmed for construction during that time period. As of 2015, the County maintains a surplus of 47 acres (as previously shown in Table 2).

By implementing the Seven Year Program of Park Facilities from Table 4, the County would increase the park facilities surplus by 26 acres, for a total of 73 acres, by 2022.<sup>1</sup>

**Sheriff Facilities:** The projected growth during the 2016-2022 time period will generate the need for 500 square feet of Sheriff facilities to serve patrol and investigation activities. The surplus square footage resulting from Sheriff facilities opened as of 2016 is 69,823 sq. ft. This “surplus” of facility capacity is sufficient to serve all growth projected to occur in the unincorporated area by 2022, with approximately 69,323 sq. ft. of capacity remaining by that time. The formula utilized to evaluate this need for facilities in 2022 is detailed in Table 5.

No construction or acquisition of additional sheriff facilities is programmed for the next seven years. Existing capacity is expected to be more than sufficient to accommodate population growth for the next seven years.

Fees are currently in place for new development in the unincorporated area to provide ongoing support for Sheriff operations. The fees do not cover additional facilities that may be needed in the future.

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<sup>1</sup> The formula utilized to evaluate this need for facilities in 2022 is detailed in Table 5.

Since 1991, a significant inventory of space for patrol and investigation activities has been made available on a short-term basis to the Sheriff through donations or leases. These facilities total 3,734 sq. ft. and are listed in Appendix B. The Sheriff recommends that this space not be claimed by the Board for the purpose of meeting the growth management standard for Sheriff Facilities. This CIP is consistent with that recommendation.

TABLE 4  
SEVEN YEAR PROGRAM OF PARK FACILITIES

Park Location	Park Type	Region Of County	Total Acreage	Acreage for Growth Mgmt. Compliance
North Richmond	Neighborhood	West	0.3	0.3
El Sobrante	Neighborhood	West	5.0	5.0
Iron Horse Trail Pocket Parks	Pocket	Central	0.3	0.3
Pacheco Community Park	Community	Central	5.0	5.0
Vine Hill Park	Neighborhood	Central	2.0	2.0
Hemme Station Park	Neighborhood	Central	0.7	0.7
Bay Point Shoreline Ballfields	Community	East	5.0	5.0
Byron Community Park	Community	East	5.0	5.0
Bethel Island Park	Community	East	5.0	5.0
Concord Ballfield Access	Community	East	5.0	5.0
Bay Point Park	Neighborhood	East	3.0	3.0
Total (rounded)			36.3 (36)	36.3 (36)

TABLE 5  
EVALUATION OF THE NEED FOR FACILITIES IN 2022

Projected Population Growth 2016-2022	Park Acres Required 2016 - 2022 (3 Acres/1000 people)	Park Acres to be Constructed 2016-2022	Surplus (Deficit)	Surplus (Deficit) of Park Acres from 1991-2015	Surplus (Deficit) of Park Acres by 2022
3,225	10	36	26	47	73
	Sheriff Facilities Required 2016 - 2022 (155 sq.ft./1000 people)	Sheriff Facilities to be Constructed 2016-2022	Surplus (Deficit)	Surplus (Deficit) of sq.ft. from 1991-2015	Surplus (Deficit) of sq.ft. by 2022
3,225	500	0	(500)	69,823	69,323

*Appendices on separate excel spread sheet.*

APPENDIX A

<u>Park</u>	<u>Location</u>	<u>Area</u>	<u>Type of Park</u>	<u>Total Acres</u>	<u>Acres for Growth Management</u>	<u>Completion Date</u>
Montalvin Park	Denise Dr	Montalvin Manor/San Pablo	Neighborhood	7.0	7.0	1991
MonTaraBay Community Center and Ball Fields (Rehab)	Tara Hills Dr	Tara Hills/San Pablo	Community Facility	4.0	4.0	1991
California Pacific Waterways	Porthole/Foghorn	Byron	Neighborhood	5.2	5.2	1992
Alamo Elementary School Park	Livorna/Wilson	Alamo	Neighborhood	3.1	2.5	1992
Clyde Park	Norman/Sussex	Clyde	Neighborhood	2.0	2.0	1992
Fox Creek Park (Pleasant Hill BART)	Las Juntas Way	Pleasant Hill	Neighborhood	0.5	0.3	1992
Cornell Park	Disco Bay Blvd/Willow Lake	Discovery Bay	Neighborhood	10.0	10.0	1992
Boeger Park	Caskey St	Bay Point	Neighborhood	0.6	0.5	1992
Old Tassajara School	Camino Tassajara/Finley Rd	Tassajara	Community Facility	1.0	1.0	1992
Marie Porter Park	Kilburn Street	Clyde	Neighborhood	0.2	0.5	1992
Rancho Laguna	Knoll Dr/Camino Pablo	Moraga	Neighborhood	8.1	8.1	1993
Brentwood Ball Fields (3)	Sunset Rd	Brentwood	Neighborhood	n/a	n/a	1993
Bettencourt Ranch	Camino Tassajara	Danville	Neighborhood	6.0	2.5	1994
El Sobrante Open Space	Castro Ranch Rd	El Sobrante	Regional	100.0	n/a	1994
Hap Magee Ranch Park (City/County)	Camille Ave	Alamo	Neighborhood	17.2	8.0	1994
North Richmond Ball Field	3rd and Walnut Creek	North Richmond	Community Facility	8.0	4.0	1994
Lefty Gomez Community Center and Ballfields	Parker Avenue	Rodeo	Community Facility	11.0	11.0	1995
Diablo Vista Park	Crow Canyon/Tassajara Ranch	Town of Danville	Neighborhood	2.0	0.7	1996
Marie Murphy School	Valley View	El Sobrante	Neighborhood	0.5	0.3	1996
Olinda School	Olinda Rd	El Sobrante	Neighborhood	0.5	0.3	1996
Valley View School	Maywood/Meadowbrook	El Sobrante	Neighborhood	0.5	0.3	1996
Sheldon School	May/Laurel	El Sobrante	Neighborhood	0.5	0.3	1996
El Sobrante Elementary	Manor/Mitchell	El Sobrante	Neighborhood	0.5	0.3	1996
De Anza High School	Valley View Rd	El Sobrante	Neighborhood	4.0	2.0	1996
Tradewinds Court Park	Tradewinds Court	Bay Point	Neighborhood	0.7	0.7	1996
Livorna Park	Livorna/Miranda	Alamo	Neighborhood	4.4	4.4	1997
Laurel Park	Laurel Rd Detention Basin	Oakley	Neighborhood	14.4	14.4	1998
Rodeo Creek Trail	Willow Ave/Parker Ave	Rodeo	Neighborhood	1.0	2.5	1998
Rancho Romero School	Hemme Ave	Alamo	Neighborhood	5.4	5.4	2000
Country Place	n/a	n/a	Neighborhood	2.5	2.5	2000
Andrew H. Young	Danville Blvd/Jackson	Alamo	Neighborhood	0.02	0.02	2000
Maybeck Park	Amy Lane	Clyde	Neighborhood	0.01	0.01	2000
Discovery Bay West	n/a	Discovery Bay	(Rec Center)	2.4	2.4	2002
Discovery Bay West	Lakeshore Circle	Discovery Bay	Neighborhood	4.0	4.0	2002
Del Hombre Respite	Treat Blvd	Pleasant Hill	Neighborhood	0.7	0.7	2002
Regatta Park (Tyler Memorial Park)	n/a	Discovery Bay	Neighborhood	4.8	4.8	2002
Silfer Park	Newport Dr	Discovery Bay	Neighborhood	5.8	5.8	2002
Viewpoint Park (aka Lehman)	Sea Cliff Place	Bay Point	Neighborhood	0.1	0.1	2002
Ravenswood Park		Discovery Bay	Neighborhood			2004
Diablo Vista Middle School Sports Field	Camino Tassajara/Monterosso	Danville	School	15.0	15.0	2005
Spears Circle Park	Spears Circle	North Richmond	Neighborhood	0.5	0.5	2007
Big Oak Tree Park	Kilburn Street	Clyde	Neighborhood	0.24	0.24	2008
El Sobrante Children's Reading Garden	Appian Avenue	El Sobrante	Community Facility	0.02	0.02	2008
Parkway Estates (Tot Lot)	Malcom Drive	North Richmond	Neighborhood	0.3	0.3	2011
Pacheco Creekside Park	Aspen Drive	Pacheco	Neighborhood	1.6	1.6	2011
Clyde Pedestrian Trail	Norman Avenue	Clyde	Neighborhood	0.5	3.8	2011
Lynbrook Park	Kevin Drive and Port Chicago Hwy	Bay Point	Neighborhood	4.13	4.13	2013
Hickory Meadows	Winterbrook and Summerfield Dr	Bay Point	Neighborhood	0.37	0.37	2013
<b>Total</b>				<b>261.4</b>	<b>144.5</b>	

APPENDIX B: INVENTORY OF SHERIFF FACILITIES USED FOR PATROL AND INVESTIGATION ACTIVITIES

APPENDIX B

LOCATION	As of 1/1/91		As of 11/24/15		Amount of Sq Ft Claimed for Growth Management
	Total Bldg Area	SHERIFF'S Space in Bldg	Total Bldg Area	SHERIFF'S Space in Bldg	
<b>Patrol Facilities</b>					
Alamo, 150 Alamo Plaza Stes B+C Alama Plaza - Patrol Substation	n/a	0	3,000	3,000	3,000
Alamo, 3240 W Stone Valley Rd - Patrol Substation	1,600	1,600	0	0	(1,600)
Concord, 500 Sally Ride Dr - Helicopter Hanger	n/a	0	2,500	2,500	2,500
Martinez, 1980 Muir Rd - Patrol/Investigation	23,390	23,390	22,990	22,990	(400)
El Sobrante, 3796 San Pablo Dam Rd, Ste b - Aux Patrol Activities-Leased	n/a	0	425	425	425
Oakley, 210 O'Hara Ave - Patrol Substation	2,117	2,117	3,921	3,921	1,804
Oakley, Lauritzen's Harbor - Marine Patrol Substation - Leased	n/a	0	1,725	1,725	1,725
Richmond, 5555 Giant Highway - Patrol Substation	n/a	0	1,149	1,149	1,149
Richmond, 1555 3rd St - Joint Office w/ Richmond PD and CHP	n/a	0	n/a	n/a	0
Richmond, 1535 Fred Jackson Way #C, N. Rich Comm Policing Annex	n/a	0	257	257	257
Rodeo, 199 Parker St - Auxiliary Patrol Activities	n/a	0	n/a	0	0
San Pablo, 2280 Giant Rd - Patrol Substation	1,100	1,100	n/a	0	(1,100)
					<b>Total</b>
					<b>7,760</b>
<b>Field Enforcement Support Facilities</b>					
Antioch, 212 H St - Dispatch Facility (2/3 Sheriff's)	2,350	1,567	n/a	0	(1,567)
Martinez, 729 Castro St - Criminalistics Laboratory (1/3 Sheriff's)	2,200	733	n/a	0	(733)
Martinez, 500 Court St - Criminalistics Laboratory (1/3 Sheriff's) (GGC)	n/a	n/a	3,209	1,070	1,070
Martinez, 401 Escobar St - Property Storage (1/2 Sheriff's)	3,900	3,900	0	0	(3,900)
Martinez, 821 Escobar St - Training (10% Field Operations)	n/a	n/a	0	0	0
Martinez, 1139 Escobar St - vacant (1/2 Sheriff's)	1,684	842	1,684	842	0
Martinez, 1236 Escobar St - SFR & parking lot - storage	n/a	n/a	3,580	3,580	3,580
Martinez, 1122 Escobar St - Criminalistics (1/2 Sheriff's)	8,764	4,382	8,764	4,382	0
Martinez, 30 Glacier Dr - Tech. Svcs. Admin. (30% Field Support)	n/a	n/a	4,593	1,531	1,650
Martinez, 40 Glacier St - Communications Center (1/2 Sheriff's)	6,500	3,250	6,500	3,250	0
Martinez, 815 Marina Vista - Administration (40% Field Support)	n/a	n/a	0	0	0
Martinez, 823 Marina Vista - Administration (40% Field Support)	n/a	0	0	0	0
Martinez, 1960 Muir Rd - Criminalistics Laboratory (1/3 Sheriff's)	n/a	0	20,000	6,667	6,667
Martinez, 651 Pine St - Administration (40% Patrol Support)	7,500	3,000	18,100	7,240	4,240
Martinez, 651 Pine St/No. Wing - Records	3,800	3,800	0	0	(3,800)
Martinez, 651 Pine St/No. Wing - Administration (40% Patrol Support)	1,470	490	0	0	0
Martinez, 2530 Arnold Dr - Records/Crime Lab	n/a	n/a	35,000	35,000	35,000
Concord, 2099 Arnold Ind, Ste C&D - Prop Svcs, Crime Lab/Patrol Support-Lt	n/a	n/a	24,925	24,925	24,925
Concord, 2099 Arnold Ind, Ste C - Property Svcs, Crime Lab/Patrol Support	n/a	n/a	n/a	n/a	0
					<b>Total</b>
					<b>67,132</b>
<b>Leased Patrol Facilities</b>					
Danville, 1092 Eagle Nest Pl - Patrol Substation	n/a	0	600	600	600
Byron, 1636 Discovery Bay Blvd - Auxiliary Patrol Activities	n/a	0	n/a	0	0
Discovery Bay, 1555 Riverlake Blvd, Ste J - Patrol Substation	n/a	0	800	800	800
Crockett, 1528 Pomona St - Auxiliary Patrol Activities	n/a	0	140	140	140
Richmond, 1675 1st St - Auxiliary Patrol Activities	n/a	0	n/a	n/a	0
Rodeo, 301 California St - Auxiliary Patrol Activities	n/a	0	n/a	n/a	0
Bay Point, 642 Pt Chicago Hwy - Auxiliary Patrol Activities	n/a	0	825	825	825
Bethel Island, 5993 Bethel Island Rd, Suite B	n/a	0	1,100	1,100	1,100
WC, 3003 Oak Rd, Ste 110 - Res Dep.- PH BART - Leased	n/a	0	269	269	269
					<b>Total</b>
					<b>3,734</b>
					<b>Grand Total</b>
					<b>78,626</b>
					<b>Grand Total Minus Leased</b>
					<b>74,892</b>
<b>Additional Sheriff Property</b>					
Clayton, 12000 Marsh Ck Detention					
Staff Locker Bldg			1,344	1,344	
Work Shop, Storage, Inmate Welf Off			3,261	3,261	
Dorms F&G			14,352	14,352	
Wood Shop, Storage			976	976	
Pump House			-	-	
Medical Coach			626	626	
Chapel			2,015	2,015	
Shop			5,796	5,796	
School Office			1,740	1,740	
Kitchen			7,372	7,372	
Dorms D&E			14,352	14,352	
Pump House			-	-	
Laundry/DSW Office			2,080	2,080	
Dorms B&C			13,872	13,872	
Security Cell			441	441	
Bldgs 182-200			1,426	1,426	
Classroom 1			960	960	
Former Fire Stn			4,639	4,639	
Classroom 2			960	960	
Classroom 3			960	960	
Supply Storage			608	608	
Martinez, 835 Castro St - Leased			1,800	1,800	
Martinez, 815 Court St - Leased			1,763	1,763	
Martinez, 920 Mellus St			3,500	3,500	
Martinez, 1959 Muir Rd			-	-	
Martinez, 1980 Muir Rd			-	-	
Martinez, Pine St @ Mellus St @ Court St			400	400	
Martinez, Pine St @ Mellus St @ Court St			-	-	
Martinez, 651 Pine St, N. Wing			-	-	
Martinez, 900 Thompson St-Leased			3,850	3,850	
Pittsburg, 340 Marina Blvd-Leased			16,000	16,000	
Richmond, 5555 Giant Hwy - West County Detention Center					
Admin/Medical/Inmate Programs			18,926	18,926	
Housing, Visiting			19,352	19,352	
Inmate Programs			6,073	6,073	
Admin, Mtce, Kitchen, Intake			70,975	70,975	
Housing			30,424	30,424	
Housing			30,424	30,424	
Housing			30,424	30,424	
Housing			30,424	30,424	
Women's Program Bldg			12,320	12,320	
Martinez, 50 Glacier Dr, Office of Emergency Services			6,175	6,175	
Martinez, 1127 Escobar St,					
Martinez, 1000 Ward St, Detention			161,405	161,405	

## Compliance Checklist Attachments

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

### Measure J Growth Management Program Compliance Checklist

<b>1. Action Plans</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
a. Is the jurisdiction implementing the actions called for in the applicable Action Plan for all designated Routes of Regional Significance within the jurisdiction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Has the jurisdiction implemented the following procedures as outlined in the <i>Implementation Guide</i> and the applicable Action Plan for Routes of Regional Significance?			
i. Circulation of environmental documents,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. Analysis of the impacts of proposed General Plan amendments and recommendation of changes to Action Plans, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii. Conditioning the approval of projects consistent with Action Plan policies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Has the jurisdiction followed the procedures for RTPC review of General Plan Amendments as called for in the <i>Implementation Guide</i> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>2. Development Mitigation Program</b>	<b>YES</b>	<b>NO</b>	
a. Has the jurisdiction adopted and implemented a local development mitigation program to ensure that new development pays its fair share of the impact mitigation costs associated with that development?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Has the jurisdiction adopted and implemented the regional transportation mitigation program, developed and adopted by the applicable Regional Transportation Planning Committee, including any regional traffic mitigation fees, assessments, or other mitigation as appropriate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

## Compliance Checklist Attachments

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

<b>3. Housing Options and Job Opportunities</b>	<b>YES</b>	<b>NO</b>
a. Has the jurisdiction prepared and submitted a report to the Authority demonstrating reasonable progress in providing housing opportunities for all income levels under its Housing Element? The report can demonstrate progress by  (1) comparing the number of housing units approved, constructed or occupied within the jurisdiction over the preceding five years with the number of units needed on average each year to meet the housing objectives established in its Housing Element; or  (2) illustrating how the jurisdiction has adequately planned to meet the existing and projected housing needs through the adoption of land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development; or  (3) illustrating how its General Plan and zoning regulations facilitate improvement or development of sufficient housing to meet the Element's objectives.  <i>Note: A copy of the local jurisdiction's annual report to the state Department of Housing and Community Development (HCD) is sufficient.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the jurisdiction's General Plan—or other adopted policy document or report—consider the impacts that its land use and development policies have on the local, regional and countywide transportation system, including the level of transportation capacity that can reasonably be provided?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Has the jurisdiction incorporated policies and standards into its development approval process that support transit, bicycle and pedestrian access in new developments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Compliance Checklist Attachments

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

<b>4. Traffic Impact Studies</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
a. Using the Authority's <i>Technical Procedures</i> , have traffic impact studies been conducted as part of development review for all projects estimated to generate more than 100 net new peak-hour vehicle trips? (Note: Lower traffic generation thresholds established through the RTPC's Action Plan may apply).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. If the answer to 4.a. above is "yes", did the local jurisdiction notify affected parties and circulate the traffic impact study during the environmental review process?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. Participation in Cooperative, Multi-Jurisdictional Planning</b>	<b>YES</b>	<b>NO</b>	
a. During the reporting period, has the jurisdiction's Council/Board representative regularly participated in meetings of the appropriate Regional Transportation Planning Committee (RTPC), and have the jurisdiction's local representatives to the RTPC regularly reported on the activities of the Regional Committee to the jurisdiction's council or board? (Note: Each RTPC should have a policy that defines what constitutes regular attendance of Council/Board members at RTPC meetings.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Has the local jurisdiction worked with the RTPC to develop and implement the Action Plans, including identification of Routes of Regional Significance, establishing Multimodal Transportation Service Objectives (MTSOs) for those routes, and defining actions for achieving the MTSOs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Has the local jurisdiction applied the Authority's travel demand model and <i>Technical Procedures</i> to the analysis of General Plan Amendments (GPAs) and developments exceeding specified thresholds for their effect on the regional transportation system, including on Action Plan MTSOs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

## Compliance Checklist Attachments

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

	YES	NO	
d. As needed, has the jurisdiction made available, as input into the countywide transportation computer model, data on proposed improvements to the jurisdiction's transportation system, including roadways, pedestrian circulation, bikeways and trails, planned and improved development within the jurisdiction, and traffic patterns?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>6. Five-Year Capital Improvement Program</b>	<b>YES</b>	<b>NO</b>	
Does the jurisdiction have an adopted five-year capital improvement program (CIP) that includes approved projects and an analysis of project costs as well as a financial plan for providing the improvements? (The transportation component of the plan must be forwarded to the Authority for incorporation into the Authority's database of transportation projects)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>7. Transportation Systems Management Program</b>	<b>YES</b>	<b>NO</b>	
Has the jurisdiction adopted a transportation systems management ordinance or resolution that incorporates required policies consistent with the updated model ordinance prepared by the Authority for use by local agencies or qualified for adoption of alternative mitigation measures because it has a small employment base?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>8. Adoption of a voter-approved Urban Limit Line</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
a. Has the local jurisdiction adopted and continually complied with an applicable voter-approved Urban Limit Line as outlined in the Authority's annual ULL Policy Advisory Letter?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Compliance Checklist Attachments

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

- b. If the jurisdiction has modified its voter-approved ULL or approved a major subdivision or General Plan Amendment outside the ULL, has the jurisdiction made a finding of consistency with the Measure J provisions on ULLs and criteria in the ULL Policy Advisory Letter after holding a noticed public hearing and making the proposed finding publically available?

### 9. Adoption of the Measure J Growth Management Element

YES NO N/A

Has the local jurisdiction adopted a final GME for its General Plan that substantially complies with the intent of the Authority's adopted Measure J Model GME?

### 10. Posting of Signs

YES NO N/A

Has the jurisdiction posted signs meeting Authority specifications for all projects exceeding \$250,000 that are funded, in whole or in part, with Measure C or Measure J funds?

### 11. Maintenance of Effort (MoE)

YES NO

Has the jurisdiction met the MoE requirements of Measure J as stated in Section 6 of the Contra Costa Transportation Improvement and Growth Management Ordinance (as amended)? (See the Checklist Instructions for a listing of MoE requirements by local jurisdiction.)

### 12. Submittal of LSM Reporting Form

YES NO

Has the local jurisdiction submitted a Local Street Maintenance and Improvement Reporting Form for eligible expenditures of 18 percent funds covering FY 2013-14 and FY 2014-15?

## Compliance Checklist Attachments

Reporting Jurisdiction: Contra Costa County  
For Fiscal Years 2015-16 and 2016-17  
Reporting Period: Calendar Years 2014 & 2015

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### 13. Other Considerations

YES NO N/A

If the jurisdiction believes that the requirements of Measure J have been satisfied in a way not indicated on this checklist, has an explanation been attached below?

### 14. Review and Approval of Checklist

This checklist was prepared by:

  
\_\_\_\_\_  
Signature

3/31/16  
\_\_\_\_\_  
Date

Robert Sarmiento, Planner I  
\_\_\_\_\_  
Name & Title (print)

(925) 674-7822  
\_\_\_\_\_  
Phone

robert.sarmiento@dcd.cccounty.us  
\_\_\_\_\_  
Email

The council/board of \_\_\_\_\_ has reviewed the completed checklist and found that the policies and programs of the jurisdiction as reported herein conform to the requirements for compliance with the Contra Costa Transportation Improvement and Growth Management Program.

\_\_\_\_\_  
Certified Signature (Mayor or Chair)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name & Title (print)

\_\_\_\_\_  
Attest Signature (City/Town/County Clerk)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (print)

## Compliance Checklist Attachments

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

### Supplementary Information (Required)

#### 1. Action Plans

- a. *Please summarize steps taken during the reporting period to implement the actions, programs, and measures called for in the applicable Action Plans for Routes of Regional Significance:*

See Attachment A. Please note that Actions, Programs and Measures that do not include Contra Costa County are not listed.

- b. *Attach, list and briefly describe any General Plan Amendments that were approved during the reporting period. Please specify which amendments affected ability to meet the standards in the Growth Management Element and/or affected ability to implement Action Plan policies or meet Traffic Service Objectives. Indicate if amendments were forwarded to the jurisdiction's RTPC for review, and describe the results of that review relative to Action Plan implementation:*

See Attachment B.

*Provide a summary list of projects approved during the reporting period and the conditions required for consistency with the Action Plan:*

No projects during the reporting period required conditions to ensure consistency with the applicable Action Plan.

#### 2. Development Mitigation Program

*Describe progress on implementation of the regional transportation mitigation program:*

The County participates in each Regional Transportation Planning Committee's respective development impact fee program: Sub-Regional Transportation Mitigation Fee Program (WCCTAC), Regional Transportation Mitigation Fee Program (TRANSPAC), East Contra

## Compliance Checklist Attachments

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

Costa Regional Fee & Financing Authority (TRANSPLAN), and Tri-Valley Transportation Development Mitigation Fee Program (SWAT/TVTC).

The County also administers a total of 15 Area of Benefit (AOB) programs within the unincorporated area. An AOB is a development traffic mitigation fee program, supported by County ordinances that are adopted by the County Board of Supervisors and designed to collect fees within a defined boundary area to fund road improvement projects that mitigate traffic impacts generated by new development projects.

### **3. Housing Options and Job Opportunities**

- a. Please attach a report demonstrating reasonable progress in providing housing opportunities for all income levels. (Note: A copy of the local jurisdiction's annual report to the state Department of Housing and Community Development (HCD) is sufficient).*

See Attachment C. The State Department of Housing and Community Development reviewed the County's revised Housing Element in 2015 and found the element to be in full compliance with State housing element law.

- b. Please attach the jurisdiction's adopted policies and standards that ensure consideration of and support for walking, bicycling, and transit access during the review of proposed development.*

See Attachment D. The County's Complete Streets policy ensures consideration of and support for walking, bicycling, and transit access.

### **4. Traffic Impact Studies**

*Please list all traffic impact studies that have been conducted as part of the development review of any project that generated more than 100 net new peak hour vehicle trips. (Note: Lower traffic generation thresholds established through the RTPC's Action Plan may apply).*

## Compliance Checklist Attachments

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

*Note whether the study was consistent with the Authority's Technical Procedures and whether notification and circulation was undertaken during the environmental review process.*

- Pantages Bays Residential Project (*Fehr & Peers*): 292 AM peak hour trips and 292 PM peak hour trips.

### 5. **Participation in Cooperative, Multi-Jurisdictional Planning**

*No attachments necessary.*

During the reporting period, the County Board of Supervisors regularly participated in Regional Transportation Planning Committee (RTPC) meetings. The County's representatives to the RTPCs regularly reported on the activities of the RTPCs to the County Board of Supervisors. The County has worked with the RTPCs to develop and implement the RTPC's Action Plans. The County has applied the Authority's travel demand model and Technical Procedures to the analysis of its General Plan Amendments and developments exceeding specified vehicle trip thresholds for their effect on the regional transportation system.

### 6. **Five-Year Capital Improvement Program**

*Please attach the transportation component of the most recent CIP version, if the Authority does not already have it. Otherwise, list the resolution number and date of adoption of the most recent five-year CIP.*

#### Parks and Sheriff Facilities

See Attachment E. The CIP for Parks and Sheriff Facilities (2016-2022) was adopted on March 15, 2016.

#### County's Capital Road Improvement & Preservation Program (CRIPP)

Date of Ordinance or Resolution Adoption: April 1, 2014

Resolution or Ordinance Number: #2014/91

### 7. **Transportation Systems Management Program**

*Please attach a copy of the jurisdiction's TSM ordinance, or list the date of ordinance or resolution adoption and its number.*

## Compliance Checklist Attachments

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

Date of Ordinance or Resolution Adoption: January 21, 2003

Resolution or Ordinance Number: #2003/02

### **8. Adoption of a voter-approved Urban Limit Line**

*The local jurisdiction's adopted ULL is on file at the Authority offices. Please specify any actions that were taken during the reporting period with regard to changes or modifications to the voter-approved ULL, which should include a resolution making a finding of consistency with Measure J and a copy of the related public hearing notice.*

The County took no actions that resulted in a change or modification to the voter-approved ULL.

### **9. Adoption of the Measure J Growth Management Element**

*Please attach the adopted Final Measure J Growth Management Element to the local jurisdiction's General Plan.*

See Attachment F.

### **10. Posting of Signs**

*Provide a list of all projects exceeding \$250,000 within the jurisdiction, noting which ones are or were signed according to Authority specifications.*

1. Stone Valley Road Bike Lane Gap Closure: \$521,062.12
2. San Pablo Dam Road Walkability: \$1,713,590.00
3. Pacheco Boulevard Sidewalk Gap Closure - Phase II: \$408,453.50

### **11. Maintenance of Effort (MoE)**

*Please indicate the jurisdiction's MoE requirement and MoE expenditures for the past two fiscal years (FY 2013-14 and FY 2014-15). See the Instructions to identify the MoE requirements.*

## Compliance Checklist Attachments

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

MOE Requirement: \$420,064

MOE Expenditures: \$778,015 (2013/2014)

\$766,620 (2014/2015)

\$772,318 (2013-2015 Average)

### 12. Submittal of LSM Reporting Form

*Please attach LSM Reporting Form for FY 2013-14 and 2014-15.*

See Attachment G.

### 13. Other Considerations

*Please specify any alternative methods of achieving compliance for any components for the Measure J Growth Management Program*

N/A

**Compliance Checklist**

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

# Attachment A

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**SWAT: LAMORINDA AREA**

<b>Relevant Action Plan Policy</b>	<b>Route(s) of Regional Significance</b>	<b>Multi-Modal Transportation Service Objective</b>	<b>Schedule to Achieve</b>	<b>Affected Jurisdictions</b>	<b>Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)</b>
1. Support and seek additional funding for expanding transit service, including service between Lamorinda BART stations and adjacent communities in Central County, service on Pleasant Hill Road, service to Bishop Ranch and the Tri-Valley area, and service through the Caldecott Tunnel.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
2. Support BART and CCCTA strategies that enhance transit ridership and reduce single-occupant vehicle trips and encourage casual carpools for on-way BART ridership.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
3. Support bus headway reductions on routes providing service to the Bay Point/Colma BART line and reinstatement of direct service to important employment centers such as Pleasanton and Bishop Ranch.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
4. Support expansion of BART seat capacity through the corridor and parking capacity east of Lamorinda.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
5. Support augmentation and expansion of, and seek funding for, subscription bus service (flex van) to BART stations and high volume ridership locations such as St. Mary's College, to provide additional transit opportunities.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
6. Support expansion of BART seat capacity through the corridor and parking capacity east of Lamorinda.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
7. Seek funds to build and operate park and ride lots and associated BART shuttles in Lamorinda to encourage carpooling and transit ridership while reducing commute loads.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
8. Develop a Lamorinda Transit Plan to identify future community transit needs and to address the changing needs of the senior population.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
9. Support transit service that links Lamorinda bus service more directly to communities to the north and east of Lafayette.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
10. Encourage expanded Travel Demand Management (TDM) programs to increase the use of alternative modes of transportation and increase overall vehicle occupancy. Promote TDM activities including ridersharing, casual carpooling and BART pool using resources such as the SWAT TDM program and RIDES for Bay Area Commuters.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
11. Support Transportation Demand Management (TDM) programs at colleges and high schools.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
12. Implement the Spare-the-Air Program.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
13. Seek funding to construct park-and-ride lots along primary arterial roads approaching SR 24 throughout Lamorinda.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
14. Support programs and projects that encourage students to take alternative modes of transportation to school to reduce demand on the roadway and increase vehicle occupancy rates.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
15. Support a collaborative effort with the Acalanes Union High School District to promote and increase ridersharing and use of transit for travel to and from the high schools in Lamorinda.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
16. Promote alternative work opportunities including employer pre-tax benefit programs, compressed work-week schedules, flex schedules and telework.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**SWAT: LAMORINDA AREA**

<b>Relevant Action Plan Policy</b>	<b>Route(s) of Regional Significance</b>	<b>Multi-Modal Transportation Service Objective</b>	<b>Schedule to Achieve</b>	<b>Affected Jurisdictions</b>	<b>Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)</b>
17. In cooperation with Lamorinda jurisdictions, develop TDM plans and provide consultations to improve mobility and decreased parking demand for new development and redevelopment.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
18. Encourage "green" commuting including ZEV and NEV vehicles, clean fuel infrastructure and car sharing.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
19. Evaluate and seek opportunities to improve and/or build walkways/bikeway facilities between the Lamorinda BART stations and adjacent land uses and communities as outlined on the map included in the Action Plan.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ <i>In 2015, the Olympic Corridor Trail Connector Study was completed.</i>
20. Support the development of regional bicycle facilities.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ <i>In 2015, the Olympic Corridor Trail Connector Study was completed.</i>
21. Seek funding to provide bicycle parking infrastructure at employment sites and activity centers throughout Lamorinda.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
22. Support operational improvements that increase throughput on I-80 to reduce diversion of traffic through Lamorinda on alternative routes.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
23. Support multi-modal safety actions that encourage safe speeds with particular emphasis on access to schools.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
24. Pursue financial incentives to implement sound growth control strategies and support strengthening of growth management policies.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
25. Participate in the Regional Transportation Mitigation Program (RTMP).	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
26. Support continuation and expansion of Measure J return-to-source funds for road maintenance.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
27. Monitor and evaluate the MTSOs for all Routes of Regional Significance every four years.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
28. Establish reciprocity agreements with jurisdictions outside of Lamorinda to mitigate the downstream impacts of proposed new development projects of General Plan Amendments that could adversely affect ability to achieve the MTSOs.	REGION WIDE	N/A	2013	SWAT Jurisdictions	✓ None.
29. Seek funding for an auxiliary lane on eastbound SR 24 Gateway on-ramp to Brookwood and continue completion of improvements to eastbound Brookwood off-ramp subject to specific design criteria.	STATE ROUTE 24	Maintain a delay index of 2.0 or better during peak period/peak direction (including freeway on-ramps) (2.5 after 2030)  +10% daily ridership on public transit system (BART)	2013	SWAT Jurisdictions	✓ None.
30. Support efforts of Caltrans and the California Highway Patrol to implement an incident management program on SR-24.	STATE ROUTE 24	Maintain a delay index of 2.0 or better during peak period/peak direction (including freeway on-ramps) (2.5 after 2030)  +10% daily ridership on public transit system (BART)	2013	SWAT Jurisdictions	✓ None.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**SWAT: LAMORINDA AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)
31. Support HOV and transit improvements in the I-680 corridor to reduce single occupant automobile use on SR 24.	STATE ROUTE 24	Maintain a delay index of 2.0 or better during peak period/peak direction (including freeway on-ramps) (2.5 after 2030)  +10% daily ridership on public transit system (BART)	2013	SWAT Jurisdictions	✓ <i>In 2015, the County participated in the I-680 Transit Options Study.</i>
32. Support HOV and transit improvements in the I-680 corridor to reduce single occupant automobile use on SR 24.	STATE ROUTE 24	Maintain a delay index of 2.0 or better during peak period/peak direction (including freeway on-ramps) (2.5 after 2030)  +10% daily ridership on public transit system (BART)	2013	SWAT Jurisdictions	✓ <i>In 2015, the County participated in the I-680 Transit Options Study.</i>
33. Seek grant(s) to study 1) access from side streets and 2) intersection configurations in the residential and commercial portions on San Pablo Dam Road and make recommendations for improvements.	CAMINO PABLO SAN PABLO DAM ROAD	Maintain a delay index of 2.0 or better during peak period/peak direction.  Increase average ridership as much as possible with initial goal of achieving a 10% increase to 3,000 average weekday daily riders.	2013	Orinda, Contra Costa County	✓ None.
34. Seek Measure J funding of HOV facility needs for San Pablo Dam Road and Camino Pablo. Study to look at need for, feasibility, and cost of installing additional park and ride lots and HOV bypass lanes at critical congestion points in the corridor.	CAMINO PABLO SAN PABLO DAM ROAD	Maintain a delay index of 2.0 or better during peak period/peak direction.  Increase average ridership as much as possible with initial goal of achieving a 10% increase to 3,000 average weekday daily riders.	2013	Orinda, Contra Costa County	✓ None.
35. Local jurisdictions to work with the transit agencies to resolve transit stop access and amenity needs as identified by the transit agencies.	CAMINO PABLO SAN PABLO DAM ROAD	Maintain a delay index of 2.0 or better during peak period/peak direction.  Increase average ridership as much as possible with initial goal of achieving a 10% increase to 3,000 average weekday daily riders.	2013	Orinda, Contra Costa County	✓ None.
36. Improve and/or add sidewalks and/or pedestrian pathways along San Pablo Dam Road.	CAMINO PABLO SAN PABLO DAM ROAD	Maintain a delay index of 2.0 or better during peak period/peak direction.  Increase average ridership as much as possible with initial goal of achieving a 10% increase to 3,000 average weekday daily riders.	2013	Orinda, Contra Costa County	✓ None.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**SWAT: LAMORINDA AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)
37. Install, where appropriate, bicycle lanes as part of any future roadway improvements to the corridor.	CAMINO PABLO SAN PABLO DAM ROAD	Maintain a delay index of 2.0 or better during peak period/peak direction.  Increase average ridership as much as possible with initial goal of achieving a 10% increase to 3,000 average weekday daily riders.	2013	Orinda, Contra Costa County	✓ None.
38. Prepare letters of support to Caltrans, ACCMA, CCTA and MTC for continued improvement of high occupancy vehicle and transit capacity in the I-80 corridor to reduce traffic pressure on San Pablo Dam Road and Camino Pablo.	CAMINO PABLO SAN PABLO DAM ROAD	Maintain a delay index of 2.0 or better during peak period/peak direction.  Increase average ridership as much as possible with initial goal of achieving a 10% increase to 3,000 average weekday daily riders.	2013	Orinda, Contra Costa County	✓ None.
39. Work with AC Transit, BART, County Connection, WestCAT and MTC to explore feasibility of service reorganization in San Pablo Dam Road and Camino Pablo corridor and develop recommendations to increase frequency and connectivity of bus service for people traveling between City of Richmond, San Pablo, El Sobrante and Orinda. Request annual reports from transit operators to WCCTAC and SWAT on their activities related to this action. Seek additional funds for public transit.	CAMINO PABLO SAN PABLO DAM ROAD	Maintain a delay index of 2.0 or better during peak period/peak direction.  Increase average ridership as much as possible with initial goal of achieving a 10% increase to 3,000 average weekday daily riders.	2013	Orinda, Contra Costa County, AC Transit, BART, County Connection, WestCAT, MTC	✓ None.
40. Support pedestrian and bicycle improvements along Camino Pablo, including BART access, to encourage alternative transportation modes, increase transit ridership, and reduce auto demand.	CAMINO PABLO SAN PABLO DAM ROAD	Maintain a delay index of 2.0 or better during peak period/peak direction.  Increase average ridership as much as possible with initial goal of achieving a 10% increase to 3,000 average weekday daily riders.	2013	Orinda, Contra Costa County	✓ None.
41. Investigate appropriate mechanisms, including maintaining existing roadway lanes and widths and restrictive signal timing, to discourage use of San Pablo Dam Road and Camino Pablo as a substitute for freeway travel.	CAMINO PABLO SAN PABLO DAM ROAD	Maintain a delay index of 2.0 or better during peak period/peak direction.  Increase average ridership as much as possible with initial goal of achieving a 10% increase to 3,000 average weekday daily riders.	2013	Orinda, Contra Costa County	✓ None.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**SWAT: TRI-VALLEY AREA**

<b>Relevant Action Plan Policy</b>	<b>Route(s) of Regional Significance</b>	<b>Multi-Modal Transportation Service Objective</b>	<b>Schedule to Achieve</b>	<b>Affected Jurisdictions</b>	<b>Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)</b>
1. None specified in the Action Plan	Danville Boulevard	Intersection LOS < 0.9	2010	Contra Costa County, Danville	✓ County development review procedures will ensure compliance with Multi-Modal Transportation Service Objectives (MTSOs).
2. Consistent with the provisions of the Dougherty Valley Settlement Agreement, control growth to meet intersection level of service standards. (p. 39)	Camino Tassajara Road, East of Crow Canyon Road	Volume-to-Capacity ratio <0.9 at intersections, except volume-to-capacity ratio of ≤0.9 at the intersection with Crow Canyon.	2010	Danville, San Ramon & Contra Costa County	✓ None.
3. An initial level of development of 8,500 units may be constructed in the Dougherty Valley based on the Settlement Agreement. Up to 11,000 units may be considered pending the completion of additional traffic studies as set forth in the settlement agreement. (p.39)	Camino Tassajara Road, East of Crow Canyon Road	Volume-to-Capacity ratio <0.9 at intersections, except volume-to-capacity ratio of ≤0.9 at the intersection with Crow Canyon.	2010	Danville, San Ramon & Contra Costa County	✓ None.
4. Secure funding for operational improvements.	Crow Canyon Road	Volume-to-Capacity ratio <0.91 at intersections within San Ramon. Volume-to-Capacity ratio <0.9 at intersections within Danville, except volume-to-capacity ratio of ≤ 0.9 at the intersection with Camino Tassajara.	2010	Contra Costa County, San Ramon, Danville	✓ None.
5. Secure funding for widening to 6 lanes.	Crow Canyon Road	Volume-to-Capacity ratio <0.91 at intersections within San Ramon. Volume-to-Capacity ratio <0.9 at intersections within Danville, except volume-to-capacity ratio of ≤ 0.9 at the intersection with Camino Tassajara.	2010	Contra Costa County, San Ramon, Danville	✓ None.
6. Improve Camino Tassajara intersection (See Camino Tassajara).	Crow Canyon Road	Volume-to-Capacity ratio <0.91 at intersections within San Ramon. Volume-to-Capacity ratio <0.9 at intersections within Danville,	2010	Contra Costa County, San Ramon, Danville	✓ None.
7. Improve geometrics of intersection of Crow Canyon/I-680 southbound off-ramp.	Crow Canyon Road	except volume-to-capacity ratio of ≤ 0.9 at the intersection with Camino Tassajara. Volume-to-Capacity ratio <0.9 at intersections within Danville, except volume-to-capacity ratio of ≤ 0.9 at the intersection with Camino Tassajara.	2010	Contra Costa County, San Ramon, Danville	✓ None.
8. Improve intersection at Sunset.	Bollinger Canyon Road, East of I-680	Intersection LOS .91	2010	Contra Costa County & San Ramon	✓ Ongoing: the County continued to collect fees on new development to help finance this project.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**SWAT: TRI-VALLEY AREA**

<b>Relevant Action Plan Policy</b>	<b>Route(s) of Regional Significance</b>	<b>Multi-Modal Transportation Service Objective</b>	<b>Schedule to Achieve</b>	<b>Affected Jurisdictions</b>	<b>Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)</b>
9. Consistent with the provisions of the Dougherty Valley Settlement Agreement, San Ramon, Contra Costa County, Danville control growth to meet intersection level of service standards.	Bollinger Canyon Road, East of Alcosta	Intersection LOS .91	2010	Contra Costa County & San Ramon	✓ The County continues to convene the Dougherty Valley Oversight Committee with all affected jurisdictions, agencies and developers to monitor impacts of growth, including traffic impacts.
10. Improve intersection at Alcosta.	Bollinger Canyon Road, East of Alcosta	Intersection LOS .91	2010	Contra Costa County & San Ramon	✓ None.
11. Complete extension project in conjunction with the development of Dougherty Valley.	Bollinger Canyon Road, East of Alcosta	Intersection LOS .91	2010	Contra Costa County & San Ramon	✓ None.
12. Secure developer funding for planned widenings.	Dougherty Road, North of Old Ranch Road	Intersection LOS .91	2010	Contra Costa County, San Ramon, Danville	✓ None.
13. Put in place growth controls to insure achievement of TSOs. (p. 44)	Dougherty Road, North of Bollinger Rd.	Intersection LOS .91	2010	Contra Costa County, San Ramon, Danville	✓ Ongoing: County development review procedures will ensure compliance with TSOs, which are now known as Multi-modal Transportation Service Objectives or MTSOs.
14. Pursue funding for auxiliary lanes.	I-680, between Central Contra Costa County and SR 84	Maintain minimum average speed of 30 MPH and a delay index of 2.0 between Contra Costa County and SR 84  No more than 5 hours of congestion south of SR 84	2010	Contra Costa Co., San Ramon, Danville	✓ None.
15. Support commute alternatives.	I-680, south of SR 84	N/A	2010	All TVTC Jurisdictions	✓ None.
16. Advocate Express Bus Service.	I-680, south of SR 84	N/A	2010	All TVTC Jurisdictions	✓ None.
17. Advocate HOV lanes from SR 84 to the Sunol Grade	I-680, south of SR 84	N/A	2010	All TVTC Jurisdictions	✓ None.
18. Improve the operational efficiency of freeways and arterial streets through effective corridor management strategies. These strategies could include traffic operations systems and ramp metering, provided studies show that metering would effectively reduce overall delay within the corridor and not adversely affect operations of adjacent intersections.	Area Wide	N/A	N/A	Contra Costa, San Ramon, Danville	✓ The County participated in updating the Tri Valley Transportation Action Plan for Routes of Regional Significance.
19. (2000) Work to find sources of stable funding to support ongoing transit operations and to support new or enhanced express bus service.	Area Wide	N/A	N/A	Contra Costa, San Ramon, Danville	✓ None.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**TRANSPAC AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)
<ul style="list-style-type: none"> <li>• Encourage land use decisions that manage the increase of overall traffic demand:</li> <li>• Continue to support implementation of the Measure J Growth Management Program.</li> <li>• Continue to support higher-density development around transit hubs and downtowns.</li> <li>• Continue to require each jurisdiction to:                             <ul style="list-style-type: none"> <li>◦ Notice the initiation of the environmental review process for projects generating more than 100 net-new peak-hour vehicle trips.</li> <li>◦ For projects that require a General Plan Amendment, identify any conflicts with Action Plan MTSOs and then, if requested, present the analysis results and possible mitigation strategies to TRANSPAC for review and comment.</li> </ul> </li> <li>• Include the needs of pedestrians and bicyclists in the design, construction, and maintenance of development projects.</li> <li>• Continue to implement the TRANSPAC Subregional Transportation Mitigation Program.</li> </ul>	REGION WIDE	N/A	Ongoing	TRANSPAC Jurisdictions	✓ None.
<ul style="list-style-type: none"> <li>• Increase HOV lane usage:                             <ul style="list-style-type: none"> <li>◦ Support the completion of a continuous HOV system on I-680.</li> <li>◦ Support consistent occupancy requirements for toll-free HOV lanes on the Benicia-Martinez Bridge and I-680.</li> <li>◦ Support additional incentives for HOV users.</li> </ul> </li> <li>• Provide additional park-and-ride lots.</li> </ul>	REGION WIDE	N/A	Ongoing 2014 (Action 2A)	TRANSPAC Jurisdictions	✓ <i>In 2015, the Board of Supervisors approved two Director's Deeds from the State of California, Department of Transportation, to the Contra Costa County Flood Control and Water Conservation District; and AUTHORIZE the Public Works Director to execute a Joint Use Agreement in connection with the Interstate 680 High Occupancy Vehicle Lane Project, Martinez area.</i>
<ul style="list-style-type: none"> <li>• Work to improve freeway flow:                             <ul style="list-style-type: none"> <li>• Continue to monitor and evaluate operational improvements at freeway interchanges on I-680, SR-242, SR-24 and SR-4.</li> <li>• Continue to support the completion of the fourth bore of the Caldecott Tunnel (SR-24).</li> <li>• Support the study oand implementation of potential regional freeway management strategies.</li> <li>• Consider a multi-agency approach to freeway ramp metering</li> </ul> </li> </ul>	REGION WIDE	N/A	Ongoing 2014 (Caldecott)	TRANSPAC Jurisdictions	✓ In 2012, the Board of Supervisors adopted resolution No. 2012/509 honoring the Caldecott Fourth Bore Medallion Design Competition winners.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST  
TRANSPAC AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)
<ul style="list-style-type: none"> <li>• Manage arterial traffic flow:               <ul style="list-style-type: none"> <li>◦ Seek funding for traffic and transit improvements along Regional Routes.</li> <li>◦ Continue to implement the Central Contra Costa Traffic Management Program.</li> <li>◦ Where feasible and appropriate, address the needs of pedestrians and bicyclists along Regional Routes.</li> </ul> </li> </ul>	REGION WIDE	N/A	Ongoing	TRANSPAC Jurisdictions	<p>✓ <i>In 2014, the Board of Supervisors adopted Resolution No. 2014/262 approving and authorizing the Public Works Director, or designee, to file an application for the Active Transportation Program funding for the Pacheco Boulevard Sidewalk Gap Closure (Phase III) Pre-construction Project for up to \$300,000 and committing local support and assurance to complete the project.</i></p> <p>✓ <i>In 2015, the Board of Supervisors approved and authorized the Public Works Director, or designee, to execute a memorandum of understanding between Contra Costa County and the City of Martinez to conduct an alignment study for the Pacheco Boulevard Improvements Project.</i></p> <p>✓ <i>In 2015, the Board of Supervisors approved the Alhambra Valley Road Safety Improvements Project and related actions under the California Environmental Quality Act, and authorized the Public Works Director, or designee, to advertise the project</i></p>

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST  
TRANSPAC AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)
<ul style="list-style-type: none"> <li>• Support an efficient and effective transit system:               <ul style="list-style-type: none"> <li>◦ Support the development of real-time information and better connectivity for regional transit and local and feeder bus service.</li> <li>◦ Promote coordination of transfer times among Express bus, feeder bus, BART, and park-and-ride lots.</li> <li>◦ Support the expansion of BART service and BART station and parking facilities.</li> <li>◦ Support the construction and maintenance of accessible bus stops, park-and-ride lots, and transit hubs.</li> <li>◦ Support improvements that increase the efficiency of local transit on Regional Routes.</li> <li>◦ Support increased access to BART stations for buses and other alternative modes.</li> <li>◦ Support innovative approaches to improve the efficiency and effectiveness of transit services for seniors and disabled persons through the allocation of Central County's Measure J \$10 million for Additional Transportation for Seniors and People with Disabilities. These funds are in addition to Measure J Other Countywide Programs and total \$35 million in Central County.</li> <li>◦ Support expansion and use of park-and-ride facilities using Express and local buses.</li> </ul> </li> </ul>	REGION WIDE	N/A	Ongoing	TRANSPAC Jurisdictions	<i>✓ In 2015, the County participated in the I-680 Transit Options Study.</i>

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**TRANSPAC AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)
<ul style="list-style-type: none"> <li>• Increase participation in the 511 Contra Costa Program to improve multi-modal mobility and decrease single-occupant vehicle use in Central County.               <ul style="list-style-type: none"> <li>◦ Support the 511 Contra Costa Program to educate and encourage Contra Costa residents, students and commuters to use multi-modal alternatives by promoting transit, shuttles, carpooling, vanpooling, walking, bicycling, alternative work schedules and telecommuting.</li> <li>◦ Develop TDM programs at K-12 schools and colleges to encourage carpooling, transit ridership, walking and bicycling.</li> <li>◦ Promote alternative work opportunities including employer pre-tax benefit programs, compressed work-week schedules, flex schedules and telework.</li> <li>◦ Encourage commuters to make local trips or trips linked to transit by walking, bicycling, or carpooling instead of driving alone.</li> <li>◦ Promote park-and-ride lot use to potential carpoolers, vanpoolers, and transit riders, including shuttle services, where applicable.</li> <li>◦ In cooperation with Central County jurisdictions, develop TDM plans and provide consultations to improve mobility and decrease parking demand for new development and redevelopment.</li> <li>◦ Explore innovative new technologies to improve mobility and reduce SOV trips.</li> <li>◦ Seek funding to provide bicycle parking infrastructure at employment sites and activity centers throughout Central County.</li> <li>◦ Encourage “green” commuting, including ZEV and NEV vehicle, clean fuel infrastructure, and car sharing.</li> </ul> </li> </ul>	REGION WIDE	N/A	Ongoing	TRANSPAC Jurisdictions 511 Contra Costa	<ul style="list-style-type: none"> <li>✓ In 2012, the Board of Supervisors authorized an application for Safe Routes to School funds for the Walnut Boulevard Pedestrian and Bike Safety Project.</li> <li>✓ In 2013, the Board of Supervisors approved and authorized execution of a contract with the Contra Costa Transportation Authority (CCTA) to provide transportation demand management services for the Contra Costa Centre area, for the period of July 1, 2013 through June 30, 2014.</li> <li>✓ <i>In 2014, the Board of Supervisors approved and authorized the Conservation and Development Director, or designee, to execute a contract with the Contra Costa Centre Association in an amount not to exceed \$285,850 to provide transportation demand management services for the Contra Costa Centre area, for the period July 1, 2014 through June 30, 2015.</i></li> <li>✓ <i>In 2015, the Board of Supervisors approved and authorized the Conservation and Development Director, or designee, to execute a contract with the Contra Costa Centre Association in an amount not to exceed \$267,515 to provide transportation demand management services for the Contra Costa Centre area for the period July 1, 2015 through June 30, 2016. (100% County Service Area M-31 funds)</i></li> </ul>
<ul style="list-style-type: none"> <li>• Continue to support investment in and implementation of HOV lanes on I-680.</li> <li>• Continue to support planned improvements to the I-680/SR-4 interchange and to SR-4.</li> <li>• Continue to work with Solano County to manage traffic in the I-680 corridor.</li> <li>• Complete the I-680 HOV Express bus access study funded through Regional Measure 2.</li> </ul>	INTERSTATE 680	4.0 Delay Index	2013	TRANSPAC Jurisdictions	<ul style="list-style-type: none"> <li>✓ None.</li> </ul>

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**TRANSPAC AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)
<ul style="list-style-type: none"> <li>Partner with TRANSPLAN and WCCTAC to develop a Corridor Management Plan for SR4 from East County through Central County (boundaries to be defined) including connecting and/or supporting arterials. This process will identify an MTSO(s) for SR4, actions, projects and define an approach to managing arterials in the corridor. TRANSPAC, TRANSPLAN and WCCTAC jointly will seek funding for the Corridor Management Plan from CCTA and other available sources.</li> <li>Support improvements to the I-680/SR-4 interchange.</li> </ul>	STATE ROUTE 4	5.0 Delay Index from Cummings Skyway (WCCTAC boundary) to Willow Pass (TRANSPLAN boundary). This MTSO is expected to be revised upon completion and adoption of the Corridor Management Plan by TRANSPLAC, TRANSPLAN and WCCTAC.	2013	TRANSPLAC Jurisdictions	✓ None.
<ul style="list-style-type: none"> <li>Assess possible applications of the Central Contra Costa Traffic Management Program.</li> <li>Complete Pacheco Transit Hub.</li> <li>Seek funding to widen Pacheco Boulevard to four lanes and make related improvements.</li> <li>Coordinate proposed improvements to the I-680/SR-4 interchange with surrounding arterials and local streets.</li> <li>Assess the need for improvements at the Pacheco Boulevard/Arnold Drive intersection.</li> <li>Work with Contra Costa County staff on coordination of the implementation of the Buchanan Airport Master Plan.</li> </ul>	PACHECO BOULEVARD	Martinez: 15 MPH average speed in both directions in the AM and PM peak hours.  Contra Costa County: 1.5 V/C for all intersections.	2013	Martinez, Contra Costa County	✓ None.
<ul style="list-style-type: none"> <li>Work with SWAT/City of Lafayette on corridor issues and, if feasible, consider development of a traffic management plan and other operational strategies for Pleasant Hill Road.</li> </ul>	PLEASANT HILL ROAD	Pleasant Hill: 15 MPH average speed in both directions in the AM and PM peak hours.  Contra Costa County: 1.5 V/C for all intersections.	2013	Pleasant Hill, Contra Costa County	✓ None.
<ul style="list-style-type: none"> <li>Assess possible application of the Central Contra Costa Traffic Management Program.</li> </ul>	TAYLOR BOULEVARD	Pleasant Hill: 15 MPH average speed in both directions in the AM and PM peak hours.  Contra Costa County: 1.5 V/C for all intersections.	2013	Pleasant Hill, Contra Costa County	✓ None.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST  
TRANSPAC AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)
<ul style="list-style-type: none"> <li>• Seek funding to improve vehicle, bus, bicycle and pedestrian access at the Pleasant Hill BART Station.</li> </ul>	TREAT BOULEVARD	Concord: Average stopped delays (signal cycles to clear) at the following intersections: <ul style="list-style-type: none"> <li>◦ Clayton Road/Denkinger Road: 3</li> <li>◦ Cowell Road: 5</li> <li>◦ Oak Grove Road: 5</li> </ul> Walnut Creek: LOS F at Bancroft Road intersection. Contra Costa County: 1.5 V/C for all intersections.	2013	Concord, Walnut Creek, Contra Costa County	<ul style="list-style-type: none"> <li>✓ In 2012, the Board of Supervisors accepted the completed contract work for the Iron Horse Trail Pedestrian Overcrossing project in the Pleasant Hill/BART Station area (53% Federal Funds and 47% Redevelopment Funds).</li> <li>✓ In 2012, the Board of Supervisors approved the license agreement between the City of Concord and the County for the City's use of a portion of the Iron Horse Corridor for a public trail north of Monument Boulevard to Mayette Avenue.</li> </ul>
<ul style="list-style-type: none"> <li>• Continue to support implementation of the East-Central Traffic Management Plan.</li> <li>• Seek funding from Measure J/STIP for a truck-climbing lane on Kirker Pass Road toward East County.</li> <li>• Seek funding to improve vehicle, bus, bicycle and pedestrian access at the Walnut Creek BART Station.</li> </ul>	YGNACIO VALLEY ROAD  KIRKER PASS ROAD	Concord: Average stopped delays as follows: <ul style="list-style-type: none"> <li>◦ Clayton Road/Kirker Pass Road: 3</li> <li>◦ Alberta Way/Pine Hollow Drive: 4</li> <li>◦ Cowell Road: 4</li> </ul> Walnut Creek: LOS F at both Bancroft Road and Civic Drive intersections. Contra Costa County: 1.5 V/C for all intersections.	2013	Concord, Walnut Creek, Contra Costa County	<ul style="list-style-type: none"> <li>✓ <i>In 2015, the County continued to advocate for funding to complete the Kirker Pass Road Truck Climbing lane.</i></li> </ul>

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**TRANSPLAN AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in <i>Italics.</i> )
1. Implement regional transportation improvements including SR 4 freeway widening, SR 4 Bypass, Buchanan Road Bypass, SR 4 non-freeway widening from Oakley to Discovery Bay, Byron Highway Corridor capacity increases, BART extension to Hillcrest Avenue.	SR 4 FREEWAY; SR 4 BYPASS; SR 4 NON-FREEWAY; BYRON HIGHWAY.	Vehicle occupancy of 1.2 persons per vehicle or greater during morning peak hour (SR 4 Freeway and SR 4 Bypass)  Delay index less than 2.5 (SR 4 Freeway, SR 4 Bypass and SR Non-freeway); less than 2.0 (Byron Highway)  Level of service E (Byron Highway); D or better at signalized intersections and E or better at non-signalized intersections on non-freeway SR 4  Transit ridership increase of 25 percent from 2000 to 2010.	2010	All TRANSPLAN jurisdictions.	<i>✓ In 2015, the Board of Supervisors approved Amendment No. 7 to Agreement No. 208 with the Contra Costa Transportation Authority effective October 21, 2015, to increase the amount payable to Contra Costa County by \$200,000 for a new payment limit of \$7,248,054 for the State Route 4 East Widening Somersville Road to State Route 160 Project.</i>  <i>✓ In 2015, the Board of Supervisors approved the conveyance of real property acquired for the State Route 4 East Widening Somersville Road to State Route 160 Project Segment 1, to the State of California.</i>
	MARSH CREEK ROAD (east of Deer Valley Road)  CAMINO DIABLO ROAD  DEER VALLEY ROAD (rural portion)	Delay index less than 2.0.  Level of service E.	2010	All TRANSPLAN jurisdictions.	<i>✓ In 2014, the Board of Supervisors approved plans, specifications, and design for the Marsh Creek Road Safety Improvements - 1 Mile East of Russelmann Park Road project.</i>  <i>✓ In 2014, the Board of Supervisors approved plans, specifications, and design for the Deer Valley Road Shoulder Widening project.</i>
	SR 4 NON-FREEWAY (SR-160 to San Joaquin County line)  VASCO ROAD CORRIDOR (including Mountain House Road)  BYRON HIGHWAY	Level of service D or better at signalized intersections.  Level of service E or better at unsignalized intersections.  Delay index less than 2.5 (from SR 160 to Balfour Road) and less than 2.0 (Balfour Road to San Joaquin County line).  Vehicle occupancy of 1.2 persons per vehicle during peak period.  Delay index less than 2.5.  Level of service E.  Delay index less than 2.0.	2010	All TRANSPLAN jurisdictions.	✓ None.
	KIRKER PASS ROAD	Delay index less than 2.0.  Level of service E.	2010	All TRANSPLAN jurisdictions.	✓ None.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**TRANSPLAN AREA**

<b>Relevant Action Plan Policy</b>	<b>Route(s) of Regional Significance</b>	<b>Multi-Modal Transportation Service Objective</b>	<b>Schedule to Achieve</b>	<b>Affected Jurisdictions</b>	<b>Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)</b>
2. Implement a growth management strategy that reduces the traffic impacts of future development proposals in eastern Contra Costa County.	VASCO ROAD CORRIDOR (including Mountain House Road)	Vehicle occupancy of 1.2 persons per vehicle during peak period. Delay index less than 2.5.	2010	All TRANSPLAN jurisdictions.	✓ None.
	MARSH CREEK ROAD (east of Deer Valley Road)	Delay index less than 2.0.	2010	All TRANSPLAN jurisdictions.	✓ None.
	CAMINO DIABLO ROAD DEER VALLEY ROAD (rural portion)	Level of service E.	2010	All TRANSPLAN jurisdictions.	✓ None.
3. Periodically review the East County Subregional Impact Fee that pays a portion of three regional improvements: SR 4 widening from Bailey Road to SR 4 Bypass; SR 4 Bypass; and Buchanan Road Bypass.	SR 4 FREEWAY; SR 4 BYPASS; BUCHANAN ROAD BYPASS	Vehicle occupancy of 1.2 persons per vehicle or greater during morning peak hour (SR 4 freeway). Delay index less than 2.5. Transit ridership increase of 25 percent from 2000 to 2010.	2010	Antioch, Brentwood, Oakley, County.	✓ None.
4. Explore Commuter Rail Transit Options. Request CCTA lead an exploration of commuter rail options on existing tracks together with other agencies such as BART, Capitol Corridor Joint Powers Authority, ACE, AMTRAK or others.	SR 4 FREEWAY; SR 4 NON-FREEWAY; PARALLEL ARTERIALS	Vehicle occupancy of 1.2 persons per vehicle or greater during morning peak hour (SR 4 freeway). Delay index less than 2.5 (less than 2.0 on SR 4 non-freeway between Balfour Road and San Joaquin County line) Transit ridership increase of 25 percent from 2000 to 2010.	2010	All TRANSPLAN jurisdictions, CCTA, TRANSPLAN	✓ None.
5. Intermodal Transit Centers: Develop East County BART stations as intermodal transit centers for East County. Involves improving coordination and interface between BART and bus transit; and Station area specific plans.	SR 4 FREEWAY	Vehicle occupancy of 1.2 persons per vehicle or greater during morning peak hour. Delay index less than 2.5. Transit ridership increase of 25 percent from 2000 to 2010.	2010	County, Pittsburg, BART and Tri Delta Transit.	✓ None.
6. Transportation funding: Lobby for increased transportation funding at the state or regional level.	SR 4 FREEWAY; VASCO ROAD CORRIDOR; BYRON HIGHWAY	Vehicle occupancy of 1.2 persons per vehicle or greater during morning peak hour (SR 4 freeway and Vasco Road Corridor). Delay index less than 2.5 (less than 2.0 on Byron Highway). Transit ridership increase of 25 percent from 2000 to 2010.	2010	All TRANSPLAN jurisdictions	✓ <i>The County engages the delegation to advocate for increased transportation funding.</i>

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**TRANSPLAN AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in <i>Italics.</i> )
<p>7. Encourage walking and bicycling transportation: Provide improvements that encourage transportation via walking and bicycling, such as sidewalks and bicycled lanes or other facilities in conjunction with street improvement projects or new streets; and identification and elimination of physical barriers to bicycle and pedestrian travel.</p>	<p>AREAWIDE ACTIONS</p>	<p>N/A (no MTSOs for area-wide actions).</p>	<p>N/A</p>	<p>All TRANSPLAN jurisdictions</p>	<p><i>✓ In 2014 the County approved the Byron Highway-Byer Road Pedestrian Improvements Project.</i></p> <p><i>✓ In 2014 the County approved the Port Chicago Highway and Willow Pass Road Sidewalk Improvements Project.</i></p> <p><i>✓ In 2014 the County approved the Byron Highway-Byer Road Pedestrian Improvements Project.</i></p> <p><i>✓ In 2014 the County approved the Clearland Drive Curb Ramp Project a in the Bay Point area.</i></p> <p><i>✓ In 2014, the County approved Resolution No. 2014/212 approving and authorizing the Public Works Director, or designee, to file an application for the Active Transportation Program (ATP) funding for the Port Chicago Highway and Willow Pass Road Bicycle and Pedestrian Project.</i></p> <p><i>✓ In 2014, the County approved Resolution No. 2014/211 approving and authorizing the Public Works Director, or designee, to file an application for the Active Transportation Program (ATP) funding for the Rio Vista Pedestrian Connection Project.</i></p> <p><i>✓ In 2014, the County approved improvement plans for the Byron Highway-Byer Road Pedestrian Improvements in the Byron area.</i></p> <p><i>✓ In 2014, the County approved plans, specifications, and design for the Pacifica Avenue Sidewalk - Inlet Drive to Mariner's Cove Drive Project.</i></p> <p><i>✓ In 2014, the County approved Amendment No. 2 with Kimley-Horn and Associates, Inc., effective November 1, 2014, to increase the payment limit by \$150,000 to a new payment limit of \$650,000 to provide additional transportation engineering services for the Bailey Road/State Route 4 Interchange Project.</i></p>
<p>8. Pursue a jobs-housing balance in East County: Work on growth policies and programs to promote more employment development, to provide an opportunity for shorter East County commutes and use available transportation capacity in what is now the “reverse commute” direction.</p>	<p>SR 4 FREEWAY</p>	<p>Vehicle occupancy of 1.2 persons per vehicle or greater during morning peak hour.</p> <p>Delay index less than 2.5.</p> <p>Transit ridership increase of 25 percent from 2000 to 2010.</p>	<p>2010</p>	<p>All TRANSPLAN jurisdictions.</p>	<p>✓ None.</p>

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**WCCTAC AREA**

<b>Relevant Action Plan Policy</b>	<b>Route(s) of Regional Significance</b>	<b>Multi-Modal Transportation Service Objective</b>	<b>Schedule to Achieve</b>	<b>Affected Jurisdictions</b>	<b>Implementation Status as of December 31, 2015 (Actions since last Checklist are in Italics.)</b>
1. Maintain pavement management systems/schedules to manage and monitor pavement needs.	Area-wide Actions	N/A	2013	WCCTAC Jurisdictions	✓ None.
2. Seek funding for roadway maintenance.	Area-wide Actions	N/A	2013	WCCTAC Jurisdictions	✓ None.
3. Acknowledge casual carpooling and work with local jurisdictions on specific issues (e.g. signage, marketing, transit coordination, drop-off and pick-up areas, and parking).	Area-wide Actions	N/A	2013	WCCTAC Jurisdictions	✓ None.
4. Develop a bicycle and/or pedestrian plan for West County using the update to the County-wide Bicycle and Pedestrian Plan as a baseline for analysis.	Area-wide Actions	N/A	2013	WCCTAC Jurisdictions	✓ None.
5. Continue to focus on ADA compliance for pedestrians (e.g. improvements for the visually impaired).	Area-wide Action	N/A	2013	WCCTAC Jurisdictions	<p>✓ <i>In 2014, the Board of Supervisors approved improvement plans for curb ramps at Shawn Drive and Delmore Road, as recommended by the Public Works Director.</i></p> <p>✓ <i>In 2014, the Board of Supervisors approved the Giaranita Street Sidewalk Replacement Project and related actions under the California Environmental Quality Act, and authorized the Public Works Director, or designee, to advertise the project.</i></p>

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**WCCTAC AREA**

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<p>6. Work with CCTA and MTC to seek funding for bicycle and pedestrian improvements to:</p> <ul style="list-style-type: none"> <li>• Complete the San Francisco Bay Trail and connectors between Alameda County and the Carquinez Bridge.</li> <li>• Close gaps in the pedestrian system through installation of improvements such as crosswalks, sidewalks, curb cuts, islands or “holding areas,” and bus shelters.</li> <li>• Support streetscape enhancements, where feasible, and maintenance funding.</li> <li>• Study bicycle and pedestrian safety enhancements at the Point Molate/Bay Train/Chevron property near the Richmond-San Rafael Bridge toll plaza.</li> </ul>	Area-wide Action	N/A	2013	WCCTAC Jurisdictions	<p>✓ In 2013, the Board of Supervisors approved a Memorandum of Understanding between the County and East Bay Regional Park District for the conversion and rehabilitation of a 1.7-mile segment of Carquinez Scenic Drive into a segment of the San Francisco Bay Trail.</p> <p>✓ In 2012, the Board of Supervisors approved and authorized the Public Works Director to execute a contract with Caltrans to continue the pedestrian improvement projects on Chesley Avenue and Market Avenue at the Union Pacific Railroad crossing.</p> <p>✓ In 2014, the Board of Supervisors approved the <i>Tara Hills Pedestrian Infrastructure Project</i> and related actions under the California Environmental Quality Act and authorized the Public Works Director to advertise the project.</p> <p>✓ In 2014, the Board of Supervisors adopted Resolution No. 2014/213 approving and authorizing the Public Works Director, or designee, to file an application for the <i>Active Transportation Program funding for the Appian Way Complete Streets Project</i> for up to \$500,000 and committing local support and assurance to complete the project, El Sobrante area.</p> <p>✓ In 2014, the Board of Supervisors approved and authorized the Public Works Director, or designee, to submit, on behalf of the County, a grant application to the <i>Contra Costa Transportation Authority for the Contra Costa Priority Development Area Planning Grant Program</i> to conduct a planning study on San Pablo Avenue.</p> <p>✓ In 2015, the Board of Supervisors approved the <i>Pomona Street Pedestrian Safety Improvement Project</i> and related actions under the California Environmental Quality Act, and authorized the Public Works Director, or designee, to advertise the project.</p>
<p>7. Require project sponsors to routinely evaluate and address public and private project impacts on transit bus travel time and service affected on Routes of Regional Significance.</p>	Area-wide Actions	N/A	2013	WCCTAC Jurisdictions	<p>✓ None.</p>

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**WCCTAC AREA**

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<p>8. Encourage adoption of General Plan components that:</p> <ul style="list-style-type: none"> <li>• Support a jobs/housing balance.</li> <li>• Support the preservation of open space and in-fill developments.</li> <li>• Support high-density transit oriented development of residential, commercial and mixed use development, especially around rail stations and transit hubs.</li> <li>• Incorporate transit-supporting goals and policies in the circulation element, such as designation of a network of transit streets.</li> <li>• Monitor development and implementation projects on or near the san Pablo Avenue corridor and the El Cerrito BART stations, as a designated ABAG FOCUS Priority Development Area.</li> </ul>	Area-wide Actions	N/A	2013	WCCTAC Jurisdictions	✓ None.
9. Work with BAAQMD to alert residents of air quality problem days with the "Spare the Air" campaign.	Area-wide Actions	N/A	2013	WCCTAC Jurisdictions	✓ None.
10. Work with schools/Districts to prepare a needs assessment of the sidewalk and bicycle facilities along school routes to promote safe access to schools.	Area-wide Actions	N/A	2013	WCCTAC Jurisdictions	✓ None.
11. Continue support of Street Smarts Program to promote increase in public safety education and reduction in pedestrian and bicycle injury incidents and actively seek State and Federal Safe Routes to School and Safe Routes to Transit grant funding.	Area-wide Actions	N/A	2013	WCCTAC Jurisdictions	✓ None.
12. Seek funding for installation of intersection signal emergency service vehicle preemption to permit faster response times.	Area-wide Actions	N/A	2013	WCCTAC Jurisdictions	✓ None.
13. Work with CCTA, MTC, Caltrans, WCCTAC and WCCTAC jurisdictions to complete a West County goods movement study to reduce impacts on West County roadways and ensure efficient goods movement. Seek funding to study goods movement issues such as truck activity increases, truck and rail interaction, and designation of truck routes to address increased goods movement.	Area-wide Actions	N/A	2013	WCCTAC Jurisdictions	✓ None.
14. WCCTAC staff will prepare a Climate Change report specific to West County in coordination with the biennial Growth Management Compliance Checklist (with the collaboration of the member agencies – local jurisdictions and transit operators – and other transportation colleagues) for presentation to the WCCTAC Board through 2010. The Report will highlight the transportation and transportation-related actions that have been achieved that affect GHG emissions.	Area-wide Action	N/A	2013	WCCTAC Jurisdictions	✓ None.
15. Create truck access routes to the Richmond Parkway that minimize truck traffic through residential areas.	RICHMOND PARKWAY	Maintain LOS "D" or better at all signalized intersections on Richmond Parkway.	2013	WCCTAC Jurisdictions	✓ None.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**WCCTAC AREA**

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16. Participate in the planning and review of the proposed Point Molate Casino and Sugarbowl Casino in North Richmond	RICHMOND PARKWAY	Maintain LOS "D" or better at all signalized intersections on Richmond Parkway.	2013	WCCTAC Jurisdictions	✓ None.
17. Plan and implement improvements identified by the North Richmond Truck Study adjacent to Richmond Parkway.	RICHMOND PARKWAY	Maintain LOS "D" or better at all signalized intersections on Richmond Parkway.	2013	WCCTAC, Richmond, Contra Costa County	✓ None.
18. Support improvement to the Richmond Parkway Bay Trail crossing at Wildcat Creek.	RICHMOND PARKWAY	Maintain LOS "D" or better at all signalized intersections on Richmond Parkway.	2013	WCCTAC, Richmond, Contra Costa County, San Pablo	✓ None.
19. Study potential roadway modifications to permit transit service improvements on Richmond Parkway and pedestrian crossings.	RICHMOND PARKWAY	Maintain LOS "D" or better at all signalized intersections on Richmond Parkway.	2013	WCCTAC, AC Transit, Richmond, Contra Costa County	✓ None.
20. Study traffic improvement and management options to discourage diversion from I-80 and encourage diverted traffic to return to I-80 on the next downstream feeder road. Clearly identify feeder roads to motorists that will take them back to I-80, particularly at Appian Way, Hilltop Drive, El Portal Drive, and San Pablo Dam Road. Include study of diversion traffic and reduction in diversion traffic as part of the I-80 ICM project and San Pablo SMART corridor.	SAN PABLO AVENUE	Maintain LOS "E" or better at all signalized intersections along San Pablo Avenue.	2013	WCCTAC Jurisdictions, Caltrans	✓ In 2012, the Board of Supervisors authorized the Public Works Director to execute a Memorandum of Understanding with Caltrans for the I-80 Integrated Corridor Mobility (ICM) Project.
21. Work with CCTA and MTC to seek funding to: <ul style="list-style-type: none"> <li>Develop bike route links to the Bay Trail such as the Richmond Greenway, Wildcat Creek Trail, Pinole Valley Road, and John Muir Parkway as alternate bicycle facilities to San Pablo Avenue.</li> <li>Improve bicycle and pedestrian access to the West County BART stations.</li> </ul>	SAN PABLO AVENUE	Maintain LOS "E" or better at all signalized intersections along San Pablo Avenue.	2013	WCCTAC Jurisdictions, BART, AC Transit, WestCAT, Contra Costa Health Services	✓ None.
22. Complete a corridor-wide specific plan for San Pablo Avenue through coordination of each partner jurisdiction, building upon the specific plans prepared by the cities of Richmond and El Cerrito as well as the County of Contra Costa (and potentially San Pablo).	SAN PABLO AVENUE	Maintain LOS "E" or better at all signalized intersections along San Pablo Avenue.	2013	WCCTAC Jurisdictions, BART, AC Transit	✓ None.
23. Partner with ABAG on development of San Pablo Avenue, El Cerrito del Norte BART station, Hercules New Town Center and Hercules Waterfront as well as other Priority Development Areas.	SAN PABLO AVENUE	Maintain LOS "E" or better at all signalized intersections along San Pablo Avenue.	2013	WCCTAC Jurisdictions	✓ None.
24. Seek funding for construction of completed plans for San Pablo Avenue SMART Corridor extension to Crockett.	SAN PABLO AVENUE	Maintain LOS "E" or better at all signalized intersections along San Pablo Avenue.	2013	WCCTAC Jurisdictions	✓ None.
25. Seek funding for SMART Corridors O&M.	SAN PABLO AVENUE	Maintain LOS "E" or better at all signalized intersections along San Pablo Avenue.	2013	WCCTAC Jurisdictions, CCTA	✓ None.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**WCCTAC AREA**

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26. Work with transit agencies and jurisdictions to resolve transit access and amenity needs as identified by the transit agencies.	SAN PABLO DAM ROAD	Maintain San Pablo Dam Road transit ridership of 3,000 passengers per weekday by year 2012.  Maintain LOS "E" or better at all signalized intersections along San Pablo Dam Road.	Achieved in 2005  2013	WCCTAC, AC Transit, Contra Costa County, Richmond, San Pablo	✓ None.
27. Work with CCTA and MTC to develop recommendations to increase the frequency and connectivity of bus service for riders traveling between the cities of Richmond, San Pablo, El Sobrante, Pinole and Orinda.	SAN PABLO DAM ROAD	Maintain San Pablo Dam Road transit ridership of 3,000 passengers per weekday by year 2012.  Maintain LOS "E" or better at all signalized intersections along San Pablo Dam Road.	2013	WCCTAC, Pinole, Richmond, San Pablo, Contra Costa County, AC Transit, BART	✓ None.
28. Seek grant funding from CCTA and MTC to study intersection configurations and signal coordination in the residential and commercial portions and San Pablo Dam Road.	SAN PABLO DAM ROAD	Maintain San Pablo Dam Road transit ridership of 3,000 passengers per weekday by year 2012.  Maintain LOS "E" or better at all signalized intersections along San Pablo Dam Road.	2013	WCCTAC, Richmond, San Pablo, Contra Costa County	✓ None.
29. Utilize completed roadway alignment study of San Pablo Dam Road between Appian Way and Tri Lane to adopt road design standards, a capital improvement program for infrastructure improvements, and zoning.	SAN PABLO DAM ROAD	Maintain San Pablo Dam Road transit ridership of 3,000 passengers per weekday by year 2012.  Maintain LOS "E" or better at all signalized intersections along San Pablo Dam Road.	2013	Richmond, Contra Costa County	✓ None.
30. Coordinate any vehicle, pedestrian and bicycle improvements with the findings of recently completed Downtown El Sobrante couplet study. Based on the findings of this study, potentially add and coordinate signals in commercial core as well as improve pedestrian and bicycle access through installation of pedestrian crosswalks, traffic calming measures, school safety measure and streetscape improvements.	SAN PABLO DAM ROAD	Maintain San Pablo Dam Road transit ridership of 3,000 passengers per weekday by year 2012.  Maintain LOS "E" or better at all signalized intersections along San Pablo Dam Road.	2013	WCCTAC, Contra Costa County, Caltrans, Richmond, San Pablo, Contra Costa Health Services	✓ In 2012, the Board of Supervisors approved the San Pablo Dam Road Walkability Project and authorized the Public Works Director to advertise the project.

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST**

**WCCTAC AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in <i>Italics.</i> )
31. Plan, design, fund and implement improvements to I-80/San Pablo Dam Road interchange.	SAN PABLO DAM ROAD	<p>Maintain San Pablo Dam Road transit ridership of 3,000 passengers per weekday by year 2012.</p> <p>Maintain LOS "E" or better at all signalized intersections along San Pablo Dam Road.</p>	2013	WCCTAC, San Pablo, Richmond, Caltrans, CCTA, Contra Costa County	<p>✓ In 2012, the Board of Supervisors approved and authorized execution of a contract with the Contra Costa Transportation Authority (CCTA) to provide right-of-way services to CCTA for the I-80/San Pablo Dam Road Interchange Project.</p> <p>✓ In 2013, the Board of Supervisors approved and authorized execution of an agreement with Caltrans, City of San Pablo and CCTA for the exercise of the power of eminent domain for the I-80/San Pablo Dam Road Interchange Project.</p> <p>✓ In 2013, the Board of Supervisors adopted Resolution of Necessity No. 2013/475 for acquisition by eminent domain of real property required for the I-80/San Pablo Dam Road Interchange Project - Phase 1.</p>
32. Based on the findings of the Downtown El Sobrante Study, work with CCTA and MTC to fund construction of any vehicle, pedestrian, and bicycle improvements. Modifications may include widening Appian Way to four lanes from Valley View Road in unincorporated Contra Costa County to Michael Drive in the City of Pinole. Additional modifications may include improved pedestrian and bicycle access through installation of pedestrian crosswalks, traffic calming measures, and streetscape improvements.	APPIAN WAY	Maintain LOS "D" or better at all signalized intersections on Appian Way.	2013	WCCTAC, Contra Costa County, Pinole	<p>✓ In 2013, the County adopted the Appian Way Alternatives Analysis and Complete Streets Study.</p>
33. Encourage traffic safety and operational improvements including the planned extension of the existing truck climbing lane on Cummings Skyway approximately 2 miles.	CUMMINGS SKYWAY	Maintain LOS "D" or better on all segments on Cummings Skyway.	2013	WCCTAC, Contra Costa County	<p>✓ None.</p>
34. Design and fund the Cummings Skyway Class II bike lane project between Corockett Boulevard and Franklin Canyon Road.	CUMMINGS SKYWAY	Maintain LOS "D" or better on all segments on Cummings Skyway.	2013	WCCTAC, Contra Costa County	<p>✓ None.</p>
35. Seek grant funding to develop and implement a signal coordination plan for El Portal Drive.	EL PORTAL DRIVE	Maintain LOS "D" or better at all signalized intersections on El Portal Drive.	2013	WCCTAC, San Pablo, Contra Costa County	<p>✓ None.</p>
36. Plan, fund, and implement bike route improvements to create a continuous bike route to Contra Costa College.	EL PORTAL DRIVE	Maintain LOS "D" or better at all signalized intersections on El Portal Drive.	2013	WCCTAC, San Pablo, Contra Costa County	<p>✓ None.</p>
37. Support implementation of the El Portal Gateway Project.	EL PORTAL DRIVE	Maintain LOS "D" or better at all signalized intersections on El Portal Drive.	2013	WCCTAC, San Pablo, Contra Costa County	<p>✓ None.</p>

**2014 AND 2015 MEASURE J COMPLIANCE CHECKLIST  
WCCTAC AREA**

Relevant Action Plan Policy	Route(s) of Regional Significance	Multi-Modal Transportation Service Objective	Schedule to Achieve	Affected Jurisdictions	Implementation Status as of December 31, 2015 (Actions since last Checklist are in <i>Italics</i> .)
38. Monitor requirement for changes or additions to the El Portal Drive interchange ramps as part of the I-80/San Pablo Dam Road interchange construction project.	EL PORTAL DRIVE	Maintain LOS "D" or better at all signalized intersections on El Portal Drive.	2013	WCCTAC, San Pablo, Richmond, Caltrans, CCTA, Contra Costa County	✓ None.

**Compliance Checklist**

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

# Attachment B

**General Plan Amendments 2014 and 2015**

	General Plan Amendments	Meet Growth Management Element Standards	Meet MTSOs	RTPC Reviewed (GPAs)	Results of RTPC Review (GPAs)
1	<b>Name: Dougherty Valley Specific Plan Amendment for New Elementary School</b> Location: Dougherty Valley/South Contra Costa County Applicant: Shapell Homes County File: GP12-0004 Description: Change General Plan land use designation from Single-Family Residential – High Density (SH) to Public/Semi-Public (PS) and from Parks and Recreation (PR) to Multiple-Family Residential – Low Density (ML). Adopted: February 11, 2014 Resolution #: 2014/32 Calendar Year: 2014 Net New Peak Hour Trips: None	N/A	N/A	N/A. County was not the lead agency in processing this GPA.	N/A
2	<b>Name: Heritage Point Mixed Use Project</b> Location: North Richmond/West Contra Costa County Applicant: Community Housing and Development Corp. County File: GP13-0004 Description: Change General Plan land use designation from Commercial (CO) and Single-Family Residential – High Density (SH) to Mixed Use (MU). Adopted: May 5, 2015 Resolution #: 2015/128 Calendar Year: 2015 Net New Peak Hour Trips: 56 A.M. and 64 P.M.	Yes	Yes	Yes	No Comments
3	<b>Name: QLC – Pomona Street (Rolph Park Subdivision)</b> Location: Crockett/West Contra Costa County Applicant: QLC Management, LLC County File: GP09-0002 Description: Change General Plan land use designation from Open Space (OS) to Single-Family Residential – High Density (SH). Adopted: July 28, 2015 Resolution #: None Calendar Year: 2015 Net New Peak Hour Trips: 9 A.M. and 9 P.M.	Yes	Yes	No	N/A
4	<b>Name: Driftwood Estates</b> Location: Bay Point/East Contra Costa County Applicant: DeNova Homes County File: GP13-0002 Description: Change General Plan land use designation from Single-Family Residential – Medium Density (SM) to Single-Family Residential – High Density (SH). Adopted: July 28, 2015 Resolution #: None Calendar Year: 2015 Net New Peak Hour Trips: 50 A.M. and 50 P.M.	Yes	Yes	No	N/A
5	<b>Name: Pantages Bays</b> Location: Discovery Bay/East Contra Costa County Applicant: Pantages at Discovery Bay, LLC County File: GP99-0008 Description: Change General Plan land use designations from Agricultural Lands (AL) and Delta Recreation (DR) to Single-Family Residential – Medium Density (SM) to Single-Family Residential – High Density (SH). Adopted: October 6, 2015 Resolution #: None Calendar Year: 2015 Net New Peak Hour Trips: 292 A.M. and 292 P.M.	Yes	Yes	Yes	No Comments

**Compliance Checklist**

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

# Attachment C

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**  
**DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
www.hcd.ca.gov



March 11, 2015

Mr. David Twa, County Administrator  
Contra Costa County  
651 Pine St., 10th Floor  
Martinez, CA 94553

Dear Mr. Twa,

**RE: Contra Costa County's 5<sup>th</sup> Cycle (2015-2023) Adopted Housing Element**

Thank you for submitting Contra Costa County's element adopted December 2, 2014 which was received for review on December 12, 2014. Pursuant to Government Code (GC) Section 65585(h), the Department is reporting the results of its review.

The Department is pleased to find the adopted housing element in full compliance with State housing element law (GC, Article 10.6). The adopted element was found to be substantially the same as the revised draft element the Department's October 2, 2014 review determined met statutory requirements.

Please note the County of Contra Costa now meets specific requirements for several State and Regional funding programs designed to reward local governments for compliance with State housing element law. For example, the Housing Related Parks Program includes housing element compliance as a threshold requirement. Please see the Department's website for specific information about these and other State funding programs at [http://www.hcd.ca.gov/hpd/hrc/plan/he/loan\\_grant\\_hecompl011708.pdf](http://www.hcd.ca.gov/hpd/hrc/plan/he/loan_grant_hecompl011708.pdf).

The Department appreciates the dedication Ms. Kara Douglas, Affordable Housing Program Manager and Mr. Patrick Roche, Principal Planner, provided throughout the course of the housing element review. The Department wishes the County of Contra Costa success in implementing its element and looks forward to following its progress through the General Plan annual progress reports pursuant to GC Section 65400. If the Department can provide assistance in implementing the housing element, please contact Fidel Herrera, of our staff, at (916) 263-7441.

Sincerely,

Glen A. Campora  
Assistant Deputy Director

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2013 - 12/31/2013

Pursuant to GC 65400 local governments must provide by April 1 of each year the annual report for the previous calendar year to the legislative body, the Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD). By checking the “Final” button and clicking the “Submit” button, you have submitted the housing portion of your annual report to HCD only. Once finalized, the report will no longer be available for editing.

The report must be printed and submitted along with your general plan report directly to OPR at the address listed below:

Governor’s Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
 (CCR Title 25 §6202 )

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2013 - 12/31/2013

**Table A**

**Annual Building Activity Report Summary - New Construction**  
**Very Low-, Low-, and Mixed-Income Multifamily Projects**

Housing Development Information							Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions		
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income			See Instructions	See Instructions	
Mobile Homes	MH	Renter	0	10	0	0	10	0			Modular and Mobile Homes including on-site teacher rental housing
<b>(9) Total of Moderate and Above Moderate from Table A3</b>					10	270					
(10) Total by Income Table A/A3			0	10	10	270					
<b>(11) Total Extremely Low-Income Units*</b>			0								

\* Note: These fields are voluntary

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**      CONTRA COSTA COUNTY

**Reporting Period**      01/01/2013      -      12/31/2013

**Table A2**  
**Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c )(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

\* Note: This field is voluntary

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
 (CCR Title 25 §6202 )

Jurisdiction CONTRA COSTA COUNTY  
 Reporting Period 01/01/2013 - 12/31/2013

**Table A3**  
**Annual building Activity Report Summary for Above Moderate-Income Units**  
**(not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for <b>Moderate</b>	0	10	0	0	0	10	0
No. of Units Permitted for <b>Above Moderate</b>	270	0	0	0	0	270	0

\* Note: This field is voluntary

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**      CONTRA COSTA COUNTY

**Reporting Period**      01/01/2013      -      12/31/2013

**Table B**  
**Regional Housing Needs Allocation Progress**  
**Permitted Units Issued by Affordability**

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.												Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9			
Very Low	Deed Restricted	815	0	0	0	0	0	0	0	0	0	0	815
	Non-Restricted		0	0	0	0	0	0	0	0	0		
Low	Deed Restricted	598	0	0	0	0	0	0	0	0	0	10	588
	Non-Restricted		0	0	0	0	10	0	0	0	0		
Moderate		687	0	0	0	0	10	0	0	0	0	10	677
Above Moderate		1408	0	0	0	174	270	0	0	0	-	444	964
Total RHNA by COG. Enter allocation number:		3508											
Total Units    ▶    ▶    ▶			0	0	0	174	290	0	0	0	0	464	
Remaining Need for RHNA Period    ▶    ▶    ▶    ▶    ▶													3044

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
 (CCR Title 25 §6202 )

**Jurisdiction**      CONTRA COSTA COUNTY

**Reporting Period**    01/01/2013      -    12/31/2013

**Table C**

**Program Implementation Status**

Program Description (By Housing Element Program Names)	<b>Housing Programs Progress Report - Government Code Section 65583.</b> Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
10. New Construction of Affordable Housing	Increase the supply of affordable housing	Ongoing	Habitat for Humanity East Bay is seeking entitlements to build 20 affordable units in Bay Point. The County has financed an additional 390 units in the cities.
11. Inclusionary Housing	Integrate affordable housing within market-rate developments.	Ongoing	In response to the Palmer decision, the County reduced the rental in-lieu fee to \$0. Two applications for for-sale housing would require 9 affd units.
12. Acquisition/ Rehabilitation	Improve existing housing and increase supply of affordable housing	Ongoing	No new applications for HOME or CDBG funds were submitted in 2013.
13. Second Units	Facilitate the development of second units.	Ongoing	On 3/15/11, the B/S amended the 2nd unit ordinance to facilitate approval of 2nd unit applications.
14. Special Needs Housing	Increase the supply of special needs housing.	Ongoing	The County provided CDBG and HOME funds to developers for the Belle Terre (Lafayette), and Berrellesa Palms (Martinez) projects. Both will provide housing for frail seniors.
15. Accessible Housing	Increase the supply of accessible housing.	Ongoing	The County continues to require accessible units in all new construction projects that receive HOME or CDBG funding. Accessible units are included in rehabilitation projects when feasible.

15a. Reasonable	Increase the supply of special needs and accessible housing.	Ongoing	On 7/26/11, the Board of Supervisors approved a land use permit for Bonita House to operate a adult residential care facility for 10 adults in Knightsen.
16. Contra Costa Interagency Council on Homelessness	Meet the housing & supportive services needs of the homeless	Ongoing	CCICH continues to support the development of permanent supportive housing.
17. First-Time Homebuyer Opportunities	Provide additional homeownership opportunities.	Ongoing	The County provided 11 Neighborhood Stabilization Program loans to low, moderate, and middle income homebuyers.
18. Section 8 Rental Assistance	Assist very low-income households with rental payments.	Prepare PHAP & Action Plan annually.	The Housing Authority continues to prepare its annual Action Plan and provide Section 8 housing vouchers
19. Home Sharing Program	Provide for home sharing opportunities.	Ongoing	No new activities to report in 2013.
19a. Extremely Low	Promote development of housing affordable to extremely low income households.	Ongoing	The County continues to provide funding preferences to developers who include units that are affordable to extremely-low income households.
20. Sites Inventory	Provide for adequate housing sites, including &as-right development& sites for homeless facilities	June 2010 for zoning changes.	The County uses Accela to track permits and development activity
21. Mixed-Use Developments	Encourage mixed-use developments.	Ongoing	Downtown El Sobrante General Plan Amendment (County File: GP#02-0003) was approved June 28, 2011, which established mixed use designations along San Pablo Dam Road and Appian Way corridors. P-1 (Planned Unit) District zoning was approved in 2013.
22. Density Bonus & Other Development Incentives	Support affordable housing development.	Ongoing	Two applicants are seeking General Plan Amendments instead of density bonuses.
23. Infill Development	Facilitate infill development.	Ongoing	GIS based land use inventory system has been developed to identify lots zoned for residential use that are suitable for lot consolidation to improve development footprint.
23a. North Richmond	Prepare and process Specific Plan to convert a 100 (+/-) acre industrial area in North Richmond to new residential neighborhood with potentially 2100 new dwelling units.	December 2010	All work on the North Richmond Specific Plan (Plan) is suspended indefinitely. The preparation of the Plan was being funded by the County Redevelopment Agency (RDA), which funding was lost with the elimination of redevelopment agencies. The draft Plan assumed that financing and construction of required infrastructure would be substantially funded through the RDA. No other public or private entity has come forward to replace the RDA as the applicant.
24. Planned Unit District	Provide flexibility in design for residential projects	Ongoing	The El Sobrante P-1 was approved in 2013
25. Planning Fees	Reduce the cost of development.	Ongoing	The County offered fee deferrals from December 2009 until December 31,

			2011. No developers took advantage of the program
26. Streamlining of Permit Processing	Expedite review of residential projects	Ongoing	
27. Review of Zoning & Subdivision Ordinance	Ensure County regulations do not unnecessarily constrain housing development.	a)June 2010 b)Ongoing	The draft ordinance is under staff review.
28. Anti-Discrimination Program	Promote fair housing.	Complete update to the AI by 2010 and ongoing provision of services.	The Analysis of Impediments to Fair Housing Choice was by the Board of Supervisors on 5/25/2010.
29. Residential Displacement Program	Limit number of households being displaced or relocated.	Ongoing	The County strives to limit displacement or relocation.
1. Neighborhood Preservation Program	Improve the quality of existing housing & neighborhoods.	Ongoing	38 homes in the CDBG Urban County were rehabilitated.
2. HACCC Rental Rehabilitation Assistance	Improve the quality of the rental housing stock.	Ongoing	This program has been discontinued due to lack of production and decreasing resources to support the program.
3. Public Housing Improvement	Maintain and improve the quality of the public housing stock	Ongoing	The Housing Authority continues to invest approximately \$1.7 million annual in repair and improvements of its public housing.
4. Weatherization Program	Assist homeowners and renters with minor home repairs.	Ongoing	2013 - 360 units weatherized in County cities, towns, and communities. The decrease represents a return to pre-stimulus funding levels.
5. Code Enforcement	Maintain & improve the quality of existing housing & neighborhoods.	Ongoing	Program is continuing with a 50% staff reduction from 2009 levels. 2013 had 890 cases opened and 796 cases closed. Approximately 87% are residential
6. Rental Inspection	Identify blighted and deteriorated housing stock and ensure the rehabilitation of abatement of housing that does not comply with State and local building code.	Ongoing	The program was been suspended due to budget cuts in 2009.
7. Housing Successor (formerly Redevelopment Replacement Housing)	Provide replacement housing to lower- & moderate-income households.	Assess replacement obligations every 2-3 years	The Housing Successor is in compliance with its replacement housing obligations.
8. Condominium Conversion Ordinance	Preserve the rental stock & protect apartment tenants.	Ongoing	There were no condominium conversion requests in this reporting period

9. Preservation of Assisted Housing	Preserve the existing stock of affordable housing.	Ongoing	
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# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**            CONTRA COSTA COUNTY

**Reporting Period**    01/01/2013    -    12/31/2013

**General Comments:**

Table B above does not include information for the first three years of the reporting period. Actual accomplishments are as follows:

	Units to Date	Remaining
Very low	88	727
Low	53	545
Moderate	330	357
Above Moderate	1,672	-264
TOTAL	2,143	1,365

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2014 - 12/31/2014

Pursuant to GC 65400 local governments must provide by April 1 of each year the annual report for the previous calendar year to the legislative body, the Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD). By checking the “Final” button and clicking the “Submit” button, you have submitted the housing portion of your annual report to HCD only. Once finalized, the report will no longer be available for editing.

The report must be printed and submitted along with your general plan report directly to OPR at the address listed below:

Governor’s Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2014 - 12/31/2014

**Table A**

### Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information							Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions		
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure  R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income			See Instructions	See Instructions	
Muir Ridge, Martinez area	SF	Owner	2	2	0	0	4	4	HOME Investment Partnerships Act	4	
<b>(9) Total of Moderate and Above Moderate from Table A3</b>					32	237					
(10) Total by Income Table A/A3			2	2	32	237					
<b>(11) Total Extremely Low-Income Units</b>			0								
* Note: These fields are voluntary											

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**      CONTRA COSTA COUNTY

**Reporting Period**      01/01/2014      -      12/31/2014

**Table A2**  
**Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c )(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

\* Note: This field is voluntary

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
 (CCR Title 25 §6202 )

Jurisdiction CONTRA COSTA COUNTY  
 Reporting Period 01/01/2014 - 12/31/2014

**Table A3**  
**Annual building Activity Report Summary for Above Moderate-Income Units**  
**(not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for <b>Moderate</b>	17	0	0	13	2	32	32
No. of Units Permitted for <b>Above Moderate</b>	237	0	0	0	0	237	65

\* Note: This field is voluntary

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**      CONTRA COSTA COUNTY

**Reporting Period**      01/01/2014      -      12/31/2014

**Table B**  
**Regional Housing Needs Allocation Progress**  
**Permitted Units Issued by Affordability**

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.												Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	815	0	0	0	0	0	2	0	0	0	2	813
	Non-Restricted		0	0	0	0	0	0	0	0	0		
Low	Deed Restricted	598	0	0	0	0	0	2	0	0	0	12	586
	Non-Restricted		0	0	0	0	10	0	0	0	0		
Moderate		687	0	0	0	0	10	32	0	0	0	42	645
Above Moderate		1408	0	0	0	174	270	237	0	0	-	681	727
Total RHNA by COG. Enter allocation number:		3508											
Total Units ▶ ▶ ▶			0	0	0	174	290	273	0	0	0	737	2771
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
 (CCR Title 25 §6202 )

**Jurisdiction**      CONTRA COSTA COUNTY

**Reporting Period**    01/01/2014      -    12/31/2014

**Table C**

**Program Implementation Status**

Program Description (By Housing Element Program Names)	<b>Housing Programs Progress Report - Government Code Section 65583.</b> Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Neighborhood Preservation Program	Improve the quality of existing housing & neighborhoods.	Ongoing	20 homes in the CDBG Urban County were rehabilitated.
HACCC Rental Rehabilitation Assistance	Improve the quality of the rental housing stock.	Ongoing	This program was discontinued due to lack of production and decreasing resources to support the program.
Public Housing Improvement	Maintain and improve the quality of the public housing stock.	Ongoing	The Housing Authority continues to invest approximately \$1.6 million annual in repair and improvements of its public housing.
Weatherization Program	Assist homeowners and renters with minor home repairs.	Ongoing	274 units weatherized in County cities, towns, and communities.
Condominium Conversion Ordinance	Preserve the rental stock & protect apartment tenants.	Ongoing	There were no condominium conversion requests in this reporting period.
Second Units	Facilitate the development of second units.	Ongoing	14 permits second units were issued in 2014.
Contra Costa Interagency Council on Homelessness (CCICH)	Meet the housing & supportive services needs of the homeless	Ongoing	CCICH continues to support the development of permanent supportive housing.

Sites Inventory	Provide for adequate housing sites, including <i>as-right</i> development sites for homeless facilities	June 2010 for zoning changes.	The sites inventory was updated and included in the Fifth Housing Element.
Density Bonus & Other Development Incentives	Support affordable housing development.	Ongoing	Three applicants (Driftwood Estates, Heritage Point, and Pacifica Avenue) are seeking General Plan amendments and will provide affordable housing under the Inclusionary Housing Ordinance requirements.
Infill Development	Facilitate infill development.	Ongoing	GIS based land use inventory system has been developed to identify lots zoned for residential use that are suitable for lot consolidation to improve development footprint.
North Richmond Specific Plan	Prepare and process Specific Plan to convert a 100 (+/-) acre industrial area in North Richmond to new residential neighborhood with potentially 2100 new dwelling units.	December 2010	All work on the North Richmond Specific Plan (Plan) is suspended indefinitely. The preparation of the Plan was being funded by the County Redevelopment Agency (RDA), which funding was lost with the elimination of redevelopment agencies. The draft Plan assumed that financing and construction of required infrastructure would be substantially funded through the RDA. No other public or private entity has come forward to replace the RDA as the applicant.
Planned Unit District	Provide flexibility in design for residential projects.	Ongoing	The El Sobrante P-1 was approved in 2013.
Planning Fees	Reduce the cost of development.	Ongoing	The County offered fee deferrals from December 2009 until December 31, 2011. No developers took advantage of the program.
Streamlining of Permit Processing	Expedite review of residential projects	Ongoing	Continued implementation
Review of Zoning & Subdivision Ordinance	Ensure County regulations do not unnecessarily constrain housing development.	a) June 2010, (b) Ongoing	The Homeless Shelter and SRO Ordinance was adopted by the Board of Supervisors on November 4, 2014.  A draft farmworker ordinance is expected in Spring 2015.
Anti-Discrimination Program	Promote fair housing.	Complete update to the AI by 2010 and ongoing provision of services.	The AI was adopted by the Board of Supervisors on 5/25/2010.  The County continues to support fair housing counseling and legal rights organizations with its CDBG funds.
Residential Displacement Program	Limit number of households being displaced or relocated.	Ongoing	The County strives to limit displacement or relocation.
Mixed-Use Developments	Encourage mixed-use developments.	Ongoing	Downtown El Sobrante General Plan Amendment (County File: GP#02-0003) was approved June 28, 2011, which established mixed use designations along San Pablo Dam Road and Appian Way corridors. P-1 (Planned Unit) District zoning was approved in 2013.

Extremely Low Income Housing	Promote development of housing affordable to extremely low income households.	Ongoing	The County continues to provide funding preferences to developers who include units that are affordable to extremely-low income households.
Home Sharing Program	Provide for home sharing opportunities.	Ongoing	No activities to report in 2014.
Section 8 Rental Assistance	Assist very low-income households with rental payments.	Prepare PHAP & Action Plan annually.	The Housing Authority continues to prepare its annual Action Plan and provide Section 8 housing vouchers
First-Time Homebuyer Opportunities	Provide additional homeownership opportunities.	Ongoing	The County provided 54 MCCs throughout the County. Habitat for Humanity pulled the first 4 of 12 building permits for the Muir Ridge development.
Reasonable Accomodation	Increase the supply of special needs and accessible housing.	June 2011	County updated the County reasonable accommodation policy.
Accessible Housing	Increase the supply of accessible housing.	Ongoing	The County continues to require accessible units in all new construction projects that receive HOME or CDBG funding. Accessible units are included in rehabilitation projects when feasible.
Special Needs Housing	Increase the supply of special needs housing.	Ongoing	No new projects in 2014. Third Ave apartments in Walnut Creek is under construction. Third Ave will have 17 units reserved for individuals with developmental disabilities, and an additional 2 units for persons with HIV/AIDs.
Acquisition/ Rehabilitation	Improve existing housing and increase supply of affordable housing.	Ongoing	RCD was awarded CDBG funds to rehabilitate the 23 unit Church Lane apartments in San Pablo.
Inclusionary Housing	Integrate affordable housing within market-rate developments.	Ongoing	In response to the Palmer decision, the County reduced the rental in-lieu fee to \$0. Applications for 85 units of for-sale housing would require 12 affordable units.
Code Enforcement	Maintain & improve the quality of existing housing & neighborhoods.	Ongoing	958 cases opened and 957 cases closed. Approximately 90 percent are residential.
Rental Inspection	Identify blighted and deteriorated housing stock and ensure the rehabilitation of abatement of housing that does not comply with State and local building code.	Ongoing	The program was suspended in 2009. Deteriorated properties are identified by code enforcement.
Redevelopment Replacement Housing	Provide replacement housing to lower- & moderate-income households.	Assess replacement obligations every 2-3 years	The Housing Successor is in compliance with former redevelopment agency replacement housing obligations.
Preservation of Affordable Housing with Public	Preserve the existing stock of affordable	Monitor at-risk	Rivershore Apartments in Bay Point is at risk of converting to market rate in

Assistance	housing.	units. Participate in preservation of units. Conduct tenant educ	2017. No activities have occurred yet related to this potential conversion.
New Construction of Affordable Housing	Increase the supply of affordable housing.	Ongoing	Habitat for Humanity East Bay is seeking entitlements to build 20 affordable units in Bay Point and its Muir Ridge project in the Martinez area began construction on 12 affordable homes. The County has financed additional 204 units in the cities.

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**            CONTRA COSTA COUNTY

**Reporting Period**    01/01/2014       -    12/31/2014

### **General Comments:**

The total number of units permitted (adding the first three years to the total in Table B above) are:

Very-low income - 90 units (725 remaining)

Low income - 55 units (543 remaining)

Moderate income - 327 (357 remaining)

Above moderate income - 1,941 (533 over goal)

Total - 2,416 (1,092 remaining)

**Compliance Checklist**

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

# Attachment D

## 5. Transportation and Circulation Element

- o Streets should be designed, maintained according to the “Complete Streets” philosophy, which accomplishes the following:
  - Specifies that ‘all users’ includes pedestrians, bicyclists, transit vehicles and users, and motorists, of all ages and abilities.
  - Aims to create a comprehensive, integrated, connected network.
  - Recognizes the need for flexibility: that all streets are different and user needs will be balanced.
  - Is adoptable by all agencies to cover all roads.
  - Applies to both new and retrofit projects, including design, planning, maintenance, and operations, for the entire right of way.
  - Makes any exceptions specific and sets a clear procedure that requires high-level approval of exceptions.
  - Directs the use of the latest and best design standards.
  - Directs that complete streets solutions fit in with context of the community.
  - Establishes performance standards with measurable outcomes.
- o Some of the specific approaches proposed in this Element for both near-term and longer-term solutions include the following:
  - Place limits on the capacity of streets and highways which enter the County (near-term).
  - Improve the reliability and convenience of inter and intra-County transit service (longer-term).
  - Close gaps in pedestrian, bicycle, and transit networks. Work towards a continuous, safe, and reliable network of alternatives to automobiles that covers local and regional attractions (long term).
  - Expand roadways and plan for new roadways where feasible and appropriate (longer-term).
  - Accept congestion as an inevitable traffic condition for single occupancy automobiles during rush hours (near-term).
  - Improve the design of new development to provide alternative routes for circulation on the roadway system (near- and longer-term).
  - Improve the design of new development to provide convenient use of alternative forms of transportation (near- and longer-term).
  - Encourage ride sharing and staggered work hour programs (near-term).
  - Construct HOV lanes and on-ramp metering lights along commute corridors (near-term).
  - Support new development that provides for a mix of land uses which complement each other, encourage shared parking, and reduce vehicle miles traveled (near- and longer-term).
  - Establish Pedestrian Districts in selected locations using the MTC Pedestrian District Study as a guideline (longer-term).

### 5.6 ROADWAYS AND TRANSIT

#### INTRODUCTION

The need for roadway and transit facilities is most directly tied to the land use patterns set forth in the Land Use Element. As described above, buildout of the land use plan through the year 2020, together with anticipated growth outside of the County, would place excessive demands on the existing circulation infrastructure in the County. The goals, policies and implementation measures set forth in this section, together with those in the Growth Management Element, are intended to address the future circulation needs of Contra Costa County.

## 5. Transportation and Circulation Element

reactions. TDM measures usually: 1) involve lower capital costs; 2) provide incentives designed to modify travel demand; 3) are implemented by local government or the private sector, and 4) give all travel modes equal consideration in providing access to development.

The County currently promotes TDM strategies in unincorporated areas through certain County ordinances. The County should continue to monitor the effectiveness of its zoning and subdivision ordinances to ensure that new development provides multimodal access and does not solely rely on the automobile. To this end, if a new development has enough traffic generated to warrant a new transit stop (according to the appropriate transit jurisdiction), then such a development will extend the transit service area, which is shown in the County's Transit Network Plan. Additional efforts to investigate in the future include: 1) establishment of maximum parking ratios and relaxing of minimum requirements; 2) shifting long-term parking in commercial areas to short-term use; 3) zoning regulations that encourage more pedestrian/transit friendly development.

### 5.8 PEDESTRIAN FACILITIES AND BIKEWAYS

Pedestrian and bicycle transportation are a viable mode of commuter transportation in the urban areas on either side of the Berkeley Hills and throughout eastern Contra Costa County due to favorable topography and weather.

The County promotes the use of the Complete Streets philosophy to further advance the goals of this plan. Complete streets are streets safe for all users at all times throughout the County.

The County supports pedestrians and bicyclists by implementing the Routine Accommodation policy statement developed by the United States Department of Transportation, the California Department of Transportation and the Metropolitan Transportation Commission to ensure that the needs of walkers and bicyclists are integrated into Transportation Infrastructure. Considering, and making accommodation for bicycle and pedestrian mobility and safety in the planning and designing of new or improved transportation facilities can benefit all modes of travel.

Pedestrian facilities are becoming increasingly important to address the various needs of County residents living in urban and rural settings as our community continues to develop and change. We are all pedestrians at one time, walking to the post office, using a wheelchair from a transit station to work, traveling from your car to a retail shopping center. Pedestrian facilities also encourage walking for better health. Additionally, lower income residents of Contra Costa County are over seven times more likely to walk as a primary commute mode than the general population. A well designed and well maintained system of pedestrian facilities provides safe, convenient and accessible access for residents.

Sidewalks shall be designed so they are wide enough to accommodate the potential pedestrian volume. Surfaces should be kept as level as possible. Intersections shall have well designed curb ramps on all corners and crosswalks, where provided, should be well marked and visible. Traffic signal phasing shall allow adequate time for pedestrians to cross as well as have accommodations for disabled users with impairments. Lighting shall be provided where needed for visibility and safety. The network of pedestrian facilities must provide convenient access to destinations that attract pedestrian travel, such as schools, parks, transit, neighborhood shopping, post offices and other public facilities.

Development of a comprehensive bikeway system will provide further incentive to commute by bike. The comprehensive bikeway system is the interconnected system of safe bike paths, bike lanes, and bike routes that satisfy the travel needs of most

## 5. Transportation and Circulation Element

cyclists in the county. Many existing bikeways are of a recreational design which also serve as pedestrian trails and located off-street. These facilities should be supplemented by more off-street paths and more on-street commuter bikeways that provide direct access to commercial uses. A comprehensive bikeway system is depicted in a fold-out map in the back of the General Plan entitled "Bikeway Facilities Network".

"Bikeway" means all facilities that are provided primarily for bicycle travel. The following categories of bikeways are defined in the California Streets and Highway Code.

- o Class I Bikeway (Bike Path or Bike Trail): Provides a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with crossflows by motorists minimized.
- o Class II Bikeway (Bike Lane): Provides a restricted right-of-way designated for the exclusive use or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted.
- o Class III Bikeway (Bike Route): Provides a right-of-way designated by signs or permanent markings and shared with pedestrians or motorists.

In March of 2002 the Contra Costa Transportation Authority launched a comprehensive effort to work with local jurisdictions, agencies and special interest groups to produce the Contra Costa Countywide Bicycle and Pedestrian Plan. The outcome of this effort produced a comprehensive plan that was adopted by many City Councils and the Board of Supervisors. Relevant sections of the plan have been incorporated into this General Plan.

The following are the pedestrian facilities and bikeways goals, policies and implementation measures:

### **5-L. Expand, improve and maintain facilities for walking and bicycling.**

5-36. Describe a system of bicycle facilities and key attractors of bicycle and pedestrian traffic so that all travelers, including people with disabilities, can travel safely and independently.

5-ai. Design a growing comprehensive and safe bicycle network using a mix of existing local roads, collectors and bikeways which prioritizes bicycle movement from residences to key attractors while minimizing automobile presence on the network. Coordinate with cities, transit agencies, community groups and public utilities.

5-aj. Where possible, roads selected for the comprehensive bikeway system should be 35 mph or less.

5-ak. Provide safe and convenient pedestrian and bike ways in the vicinity of schools and other public facilities and in commercial areas and provide convenient access to bus routes.

5-al. Ensure that pedestrian connectivity is preserved or enhanced in new developments by providing short, direct pedestrian connections between land uses and to building entrances.

5-am. Construct the bikeways shown in the Bikeway Network map and incorporate the needs of bicyclists in roadway construction and maintenance projects and normal safety and operational improvements.

5-an. Promote planning and coordination of pedestrian and bicycle facilities among cities, transit agencies and public utilities.

## 5. Transportation and Circulation Element

- 5-ao. Provide secure bicycle parking facilities at appropriate locations, such as transit stations, as well as improved access to transit systems.
- 5-37. Identify gaps in the bicycle network and needed improvements to pedestrian districts and key activity centers and define priorities for eliminating these gaps and making needed improvements. Facilities shall be designed to the best currently available standards and guidelines.
- 5-ap. Pedestrian Districts should be created in areas of mixed or dense land use and intense or potentially intense pedestrian activity.
- 5-aq. Landscaping and trees should be used to enhance pedestrian facilities and should be selected to minimize future maintenance and safety issues.
- 5-ar. Streetscape improvements should be included in the design of high usage pedestrian facilities to encourage pedestrian activity. This would include improvements such as benches, public art, drinking fountains and pedestrian-scale lighting fixtures.
- 5-as. Provide sidewalks with a clear path wide enough to accommodate anticipated pedestrian use and wheelchairs, baby strollers or similar devices. This area clear zone must be free of street furniture, signposts, utility poles or any other obstruction.
- 5-at. Traffic calming measures should be designed so they improve pedestrian and bicycle movement in residential neighborhoods and commercial districts as well as strategic corridors between them that help form the comprehensive bicycle network.
- 5-38. Encourage adequate long term and routine maintenance of bikeway and walkway network facilities, including regular sweeping of bikeways and shared use pathways, utilizing private and/or local community resources when feasible.
- 5-au. Provide ways for the general public to report problems.
- 5-av. Include the cost of major maintenance needs of bicycle and pedestrian facilities when calculating the maintenance needs of streets and roadways.

### **5-M Improve safety for pedestrians and bicyclists.**

- 5-39. Reduce conflicts among motorists, pedestrians and bicyclists.
- 5-aw. Use curb extensions and pedestrian islands and other strategies to reduce pedestrian crossing distances.
- 5-ax. Use traffic control devices such as signs, signals or lights to warn motorists that pedestrians or bicyclists are in the roadway.
- 5-ay. Provide buffers between roads and sidewalks utilizing planter strips or buffer zones that provide streetscape improvements.
- 5-az. Provide buffers between train tracks and non-motorized facilities when necessary, utilizing distance, barriers, or grade separation.
- 5-ba. Ensure that users of non-motorized facilities are channeled to legal crossings of train tracks, which are use appropriate traffic control devices and are adequately inspected and maintained.
- 5-40. Provide information to improve safety for pedestrians and bicyclists.
- 5-bb. Support development of a countywide collision data analysis program that will generate collision rates useful for planning purposes.

## 5. Transportation and Circulation Element

5-bc. Support the development and implementation of programs to educate drivers, bicyclists, and pedestrians as to their rights and responsibilities,

### 5-N Encourage more people to walk and bicycle.

- 5-41. Work with local and regional agencies to develop useful and cost effective programs to encourage more people to walk and bicycle.
- 5-42. Support programs such as "safe routes to school maps and "bike trains" or "walking school buses" for elementary students that would encourage more students to walk or bicycle to school.
- 5-43. Encourage the use of bicycle and pedestrian facilities to promote healthy transportation choices.
- 5-44. Encourage the use of wayfinding and signage to help direct pedestrians and bicyclists to desirable destinations.

### 5-O Plan for the needs of bicyclists and pedestrians.

- 5-45. Accommodate and encourage other agencies to accommodate the needs for mobility, accessibility and safety of bicyclists and pedestrians when planning, designing and developing transportation improvements.

5-bd. Review capital improvement projects to make sure that needs of non-motorized travelers (including pedestrians, bicyclist and persons with disabilities) are considered in programming, planning, maintenance, construction operations and project development activities and products.

5-be. Incorporate sidewalks, bike paths, bike lanes, crosswalks, pedestrian cut-throughs, or other bicycle pedestrian improvements into new projects.

5-bf. Where economically feasible provide safe and convenient alternatives when bicycle or pedestrians facilities are removed.

5-bg. Accommodate cyclists and pedestrians during construction of transportation improvements and other development projects.

- 5-46. Support the incorporation of bicycle and pedestrian facilities into other capital improvements projects, where appropriate, to expand bicycle-pedestrian facilities, harmonize the needs of all travel modes, and achieve economies of scale.

## 5.9 SCENIC ROUTES

### INTRODUCTION

This scenic routes plan is intended to add considerations of roadway road corridor appearances and aesthetics to the scope of the County General Plan. This plan has two basic purposes: it enables the County to request that the State designate state routes to the State highways program, while at the same time providing a local scenic route implementation program.

Such a plan provides recognition of the perception we have of our surroundings while traveling through the County. Presently Contra Costa County has numerous roadways that pass through areas affording pleasurable views. The number of such roadways where scenic quality exists will diminish, however, unless protected. Their character is changed through improvements to them or when land adjacent to them is developed.

This plan identifies a Countywide scenic route system and ensure that new projects approved along a scenic route are reviewed to maintain their scenic potential. Most scenic routes depend on natural landscape qualities for their aesthetics and many formally designated scenic routes

**Compliance Checklist**

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

# Attachment E

**EXHIBIT B**

Contra Costa County  
Development Mitigation Program

2016 – 2022

Capital Improvement Program for  
Parks and Sheriff Facilities  
Pursuant to Measure J Growth Management Program

Prepared by

Contra Costa County  
Department of Conservation and Development

March 2016

## I. INTRODUCTION

This document is Contra Costa County's Capital Improvement Program (*CIP*) for providing park and Sheriff Facilities in the unincorporated area of the County, pursuant to the requirements of the Measure J Growth Management Program. A companion document, the *County Road Improvement & Preservation Program*, describes transportation projects to mitigate the transportation impacts of new development. Both documents respond to the requirements of the *County General Plan* and the Contra Costa Transportation Authority's (CCTA) growth management program that was initiated with the Measure C transportation sales tax in 1988, and reauthorized in Measure J in 2004.

The *County General Plan* includes a *Growth Management Element*, which has performance standards for urban services (i.e. roads, sewers, water police, fire, parks and flood control). New development needs to demonstrate that it meets these performance standards or such development cannot be approved. The County is responsible for providing the following urban services in the unincorporated area: roads, police, and parks. The *Growth Management Element* requires that capital projects sponsored by the County necessary to maintain the performance standards for these three urban services shall be identified in the five-year Capital Improvement Program (CIP). Funding sources for the complete cost of the improvement and phasing, if any, shall also be identified.

The Measure J growth management program requires local jurisdictions to develop a five-year capital improvement program. It is CCTA policy that all capital improvement programs be amended, taking into account changes in project costs, funding sources, project development, and timing. Jurisdictions can avoid annual updates by developing longer range capital improvement programs. The County has elected to use a seven-year horizon for the *CIP*.

### CONTENTS OF THIS DOCUMENT:

The *CIP* is based on a seven-year horizon, 2016-2022 growth estimates for that time period are presented in **Section II**.

**Section III** of the CIP reviews the performance standards, which were established by the *Growth Management Element* of the *Contra Costa County General Plan*, and describes the status of County's compliance with these standards based on the estimated population growth.

**Section IV** describes the program facilities needed to meet the demands of future growth as dictated by the performance standards set forth in the *Growth Management Element*.

## II. POPULATION ESTIMATES

Table 1 provides an estimate of past population growth in the unincorporated area since adoption of the County's *Growth Management Element* in 1991. It also describes projected population growth for the seven-year period of the *CIP*, 2016-2022. The projected population growth is based on information received from the Housing Element of the County General Plan. These forecasts are based on ABAG's projected population estimates, as adjusted by the Department of Conservation and Development to reflect the actual growth recorded on the unincorporated area between 1991 and 2015.

**TABLE 1**  
**PAST AND PROJECTED POPULATION GROWTH**  
**IN UNINCORPORATED CONTRA COSTA\***

AREA	1991-2015	2016-2022
<b>East County</b>	<b>12,030**</b>	<b>1,069</b>
<b>Central County</b>	<b>16,189***</b>	<b>908</b>
<b>West County</b>	<b>4,488</b>	<b>1,248</b>
<b>TOTAL</b>	<b>32,707</b>	<b>3,225</b>

\* Sources: 2010 Census, Projected 2020 and 2030 estimated provided by the Association of Bay Area Governments and refined by CCC Department of Conservations and Development.

\*\* Includes growth in Oakley up to the year 2000.

\*\*\* Does not include growth in Dougherty Valley, which ABAG assigns to the City of San Ramon.

### **III. GROWTH MANAGEMENT PERFORMANCE STANDARDS**

The *Growth Management Element* establishes standards for the provision of certain public services in the unincorporated areas. These performance standards are applied to all development that was approved since the adoption of the *County General Plan* in January 1991. The standards apply to the entire unincorporated area, countywide.

**Park Facilities:** The growth management standard for park facilities is three acres of neighborhood parks per 1,000 population. Table 2 evaluates this standard as of 2015. This evaluation is based on population growth for the 1991 - 2015 time period and the park acreage opened during that period.

Parks are financed largely by park dedication fees assessed against new development in the unincorporated area. A Park Impact Fee Nexus Study was approved by the Board in 2007 and fees were updated shortly thereafter. Fees range from \$3,955 to \$7,238, depending on dwelling type and location. Unless otherwise indicated, the parks shown on Table 4 occur on County-owned parcels or land dedicated by developers to the County. Expenditures are for park improvements only.

Since January 1991, the County has opened approximately 145 acres of new park facilities that meet the neighborhood park classification. Actual park construction exceeded the growth management standard by 47 acres. These facilities represent a broad range of accomplishments, including contribution to joint school/park facilities, pro-rated credit for park facilities of cities or special districts funded partially by County revenues or land-dedication, and linear parks that serve the local area. See Appendix A for a description of these park facilities.

**TABLE 2**  
**EVALUATION OF COMPLIANCE**  
**WITH THE PARK FACILITIES STANDARD AS OF 2015**

REQUIRED FACILITIES	FACILITIES OPENED	SURPLUS/(DEFICIT)
<b>98 acres</b>	<b>145 acres</b>	<b>47 acres</b>

**Sheriff Facilities:** The growth management standard for Sheriff facilities is 155 square feet of patrol and investigation facilities per 1,000 population.

Table 3 evaluates compliance with the performance standard as of 2015. The evaluation is based on population growth for 1991-2015 time period and the square footage of Sheriff Facilities opened as of 2015. The population growth between 1991 and 2015 created a demand for 5,069 square feet of patrol, investigation and support facilities. Since 1991, the County has opened 74,892 square feet of facilities that serve patrol, investigation and support activities. Actual Sheriff Facility construction exceeded the growth management standard by 69,823 square feet. See Appendix B for the inventory of Sheriff Facilities.

**TABLE 3  
EVALUATION OF COMPLIANCE  
WITH SHERIFF FACILITIES STANDARD AS OF 2015**

REQUIRED FACILITIES	FACILITIES OPENED	SURPLUS/ (DEFICIT)
5,069 sq.ft.	74,892 sq.ft.	69,823 sq.ft.

#### **IV. SEVEN-YEAR PROGRAM FOR PARK AND SHERIFF FACILITIES**

The County’s *Growth Management Element* and CCTA’s Measure J growth management program requires that capital improvement programs include approved projects, their estimated costs and a financial plan for providing the improvements. This section describes a seven-year program of projects to maintain compliance with the County’s adopted growth management standards for park and sheriff facilities.

**Park Facilities:** The projected growth during the 2016-2022 time period will generate the need for 10 acres of neighborhood and community parks. Table 4 describes the park facilities programmed for construction during the 2016-2022 time period. A total of a little more than 36 acres of neighborhood parks are programmed for construction during that time period. As of 2015, the County maintains a surplus of 47 acres (as previously shown in Table 2).

By implementing the Seven Year Program of Park Facilities from Table 4, the County would increase the park facilities surplus by 26 acres, for a total of 73 acres, by 2022.<sup>1</sup>

**Sheriff Facilities:** The projected growth during the 2016-2022 time period will generate the need for 500 square feet of Sheriff facilities to serve patrol and investigation activities. The surplus square footage resulting from Sheriff facilities opened as of 2016 is 69,823 sq. ft. This “surplus” of facility capacity is sufficient to serve all growth projected to occur in the unincorporated area by 2022, with approximately 69,323 sq. ft. of capacity remaining by that time. The formula utilized to evaluate this need for facilities in 2022 is detailed in Table 5.

No construction or acquisition of additional sheriff facilities is programmed for the next seven years. Existing capacity is expected to be more than sufficient to accommodate population growth for the next seven years.

Fees are currently in place for new development in the unincorporated area to provide ongoing support for Sheriff operations. The fees do not cover additional facilities that may be needed in the future.

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<sup>1</sup> The formula utilized to evaluate this need for facilities in 2022 is detailed in Table 5.

Since 1991, a significant inventory of space for patrol and investigation activities has been made available on a short-term basis to the Sheriff through donations or leases. These facilities total 3,734 sq. ft. and are listed in Appendix B. The Sheriff recommends that this space not be claimed by the Board for the purpose of meeting the growth management standard for Sheriff Facilities. This CIP is consistent with that recommendation.

TABLE 4  
SEVEN YEAR PROGRAM OF PARK FACILITIES

Park Location	Park Type	Region Of County	Total Acreage	Acreage for Growth Mgmt. Compliance
North Richmond	Neighborhood	West	0.3	0.3
El Sobrante	Neighborhood	West	5.0	5.0
Iron Horse Trail Pocket Parks	Pocket	Central	0.3	0.3
Pacheco Community Park	Community	Central	5.0	5.0
Vine Hill Park	Neighborhood	Central	2.0	2.0
Hemme Station Park	Neighborhood	Central	0.7	0.7
Bay Point Shoreline Ballfields	Community	East	5.0	5.0
Byron Community Park	Community	East	5.0	5.0
Bethel Island Park	Community	East	5.0	5.0
Concord Ballfield Access	Community	East	5.0	5.0
Bay Point Park	Neighborhood	East	3.0	3.0
Total (rounded)			36.3 (36)	36.3 (36)

TABLE 5  
EVALUATION OF THE NEED FOR FACILITIES IN 2022

Projected Population Growth 2016-2022	Park Acres Required 2016 - 2022 (3 Acres/1000 people)	Park Acres to be Constructed 2016-2022	Surplus (Deficit)	Surplus (Deficit) of Park Acres from 1991-2015	Surplus (Deficit) of Park Acres by 2022
3,225	10	36	26	47	73
	Sheriff Facilities Required 2016 - 2022 (155 sq.ft./1000 people)	Sheriff Facilities to be Constructed 2016-2022	Surplus (Deficit)	Surplus (Deficit) of sq.ft. from 1991-2015	Surplus (Deficit) of sq.ft. by 2022
3,225	500	0	(500)	69,823	69,323

# **APPENDICIES**

APPENDIX A

<u>Park</u>	<u>Location</u>	<u>Area</u>	<u>Type of Park</u>	<u>Total Acres</u>	<u>Acres for Growth Management</u>	<u>Completion Date</u>
Montalvin Park	Denise Dr	Montalvin Manor/San Pablo	Neighborhood	7.0	7.0	1991
MonTaraBay Community Center and Ball Fields (Rehab)	Tara Hills Dr	Tara Hills/San Pablo	Community Facility	4.0	4.0	1991
California Pacific Waterways	Porthole/Foghorn	Byron	Neighborhood	5.2	5.2	1992
Alamo Elementary School Park	Livorna/Wilson	Alamo	Neighborhood	3.1	2.5	1992
Clyde Park	Norman/Sussex	Clyde	Neighborhood	2.0	2.0	1992
Fox Creek Park (Pleasant Hill BART)	Las Juntas Way	Pleasant Hill	Neighborhood	0.5	0.3	1992
Cornell Park	Disco Bay Blvd/Willow Lake	Discovery Bay	Neighborhood	10.0	10.0	1992
Boeger Park	Caskey St	Bay Point	Neighborhood	0.6	0.5	1992
Old Tassajara School	Camino Tassajara/Finley Rd	Tassajara	Community Facility	1.0	1.0	1992
Marie Porter Park	Kilburn Street	Clyde	Neighborhood	0.2	0.5	1992
Rancho Laguna	Knoll Dr/Camino Pablo	Moraga	Neighborhood	8.1	8.1	1993
Brentwood Ball Fields (3)	Sunset Rd	Brentwood	Neighborhood	n/a	n/a	1993
Bettencourt Ranch	Camino Tassajara	Danville	Neighborhood	6.0	2.5	1994
El Sobrante Open Space	Castro Ranch Rd	El Sobrante	Regional	100.0	n/a	1994
Hap Magee Ranch Park (City/County)	Camille Ave	Alamo	Neighborhood	17.2	8.0	1994
North Richmond Ball Field	3rd and Walnut Creek	North Richmond	Community Facility	8.0	4.0	1994
Lefty Gomez Community Center and Ballfields	Parker Avenue	Rodeo	Community Facility	11.0	11.0	1995
Diablo Vista Park	Crow Canyon/Tassajara Ranch	Town of Danville	Neighborhood	2.0	0.7	1996
Marie Murphy School	Valley View	El Sobrante	Neighborhood	0.5	0.3	1996
Olinda School	Olinda Rd	El Sobrante	Neighborhood	0.5	0.3	1996
Valley View School	Maywood/Meadowbrook	El Sobrante	Neighborhood	0.5	0.3	1996
Sheldon School	May/Laurel	El Sobrante	Neighborhood	0.5	0.3	1996
El Sobrante Elementary	Manor/Mitchell	El Sobrante	Neighborhood	0.5	0.3	1996
De Anza High School	Valley View Rd	El Sobrante	Neighborhood	4.0	2.0	1996
Tradewinds Court Park	Tradewinds Court	Bay Point	Neighborhood	0.7	0.7	1996
Livorna Park	Livorna/Miranda	Alamo	Neighborhood	4.4	4.4	1997
Laurel Park	Laurel Rd Detention Basin	Oakley	Neighborhood	14.4	14.4	1998
Rodeo Creek Trail	Willow Ave/Parker Ave	Rodeo	Neighborhood	1.0	2.5	1998
Rancho Romero School	Hemme Ave	Alamo	Neighborhood	5.4	5.4	2000
Country Place	n/a	n/a	Neighborhood	2.5	2.5	2000
Andrew H. Young	Danville Blvd/Jackson	Alamo	Neighborhood	0.02	0.02	2000
Maybeck Park	Amy Lane	Clyde	Neighborhood	0.01	0.01	2000
Discovery Bay West	n/a	Discovery Bay	(Rec Center)	2.4	2.4	2002
Discovery Bay West	Lakeshore Circle	Discovery Bay	Neighborhood	4.0	4.0	2002
Del Hombre Respite	Treat Blvd	Pleasant Hill	Neighborhood	0.7	0.7	2002
Regatta Park (Tyler Memorial Park)	n/a	Discovery Bay	Neighborhood	4.8	4.8	2002
Silfer Park	Newport Dr	Discovery Bay	Neighborhood	5.8	5.8	2002
Viewpoint Park (aka Lehman)	Sea Cliff Place	Bay Point	Neighborhood	0.1	0.1	2002
Ravenswood Park		Discovery Bay	Neighborhood			2004
Diablo Vista Middle School Sports Field	Camino Tassajara/Monterosso	Danville	School	15.0	15.0	2005
Spears Circle Park	Spears Circle	North Richmond	Neighborhood	0.5	0.5	2007
Big Oak Tree Park	Kilburn Street	Clyde	Neighborhood	0.24	0.24	2008
El Sobrante Children's Reading Garden	Appian Avenue	El Sobrante	Community Facility	0.02	0.02	2008
Parkway Estates (Tot Lot)	Malcom Drive	North Richmond	Neighborhood	0.3	0.3	2011
Pacheco Creekside Park	Aspen Drive	Pacheco	Neighborhood	1.6	1.6	2011
Clyde Pedestrian Trail	Norman Avenue	Clyde	Neighborhood	0.5	3.8	2011
Lynbrook Park	Kevin Drive and Port Chicago Hwy	Bay Point	Neighborhood	4.13	4.13	2013
Hickory Meadows	Winterbrook and Summerfield Dr	Bay Point	Neighborhood	0.37	0.37	2013
<b>Total</b>				<b>261.4</b>	<b>144.5</b>	

APPENDIX B

LOCATION	As of 1/1/91		As of 11/24/15		Amount of Sq Ft Claimed for Growth Management
	Total Bldg Area	SHERIFF'S Space in Bldg	Total Bldg Area	SHERIFF'S Space in Bldg	
<b>Patrol Facilities</b>					
Alamo, 150 Alamo Plaza Stes B+C Alama Plaza - Patrol Substation	n/a	0	3,000	3,000	3,000
Alamo, 3240 W Stone Valley Rd - Patrol Substation	1,600	1,600	0	0	(1,600)
Concord, 500 Sally Ride Dr - Helicopter Hanger	n/a	0	2,500	2,500	2,500
Martinez, 1980 Muir Rd - Patrol/Investigation	23,390	23,390	22,990	22,990	(400)
El Sobrante, 3796 San Pablo Dam Rd, Ste b - Aux Patrol Activities-Leased	n/a	0	425	425	425
Oakley, 210 O'Hara Ave - Patrol Substation	2,117	2,117	3,921	3,921	1,804
Oakley, Lauritzen's Harbor - Marine Patrol Substation - Leased	n/a	0	1,725	1,725	1,725
Richmond, 5555 Giant Highway - Patrol Substation	n/a	0	1,149	1,149	1,149
Richmond, 1555 3rd St - Joint Office w/ Richmond PD and CHP	n/a	0	n/a	n/a	0
Richmond, 1535 Fred Jackson Way #C, N. Rich Comm Policing Annex	n/a	0	257	257	257
Rodeo, 199 Parker St - Auxiliary Patrol Activities	n/a	0	n/a	0	0
San Pablo, 2280 Giant Rd - Patrol Substation	1,100	1,100	n/a	0	(1,100)
					<b>Total</b>
					<b>7,760</b>
<b>Field Enforcement Support Facilities</b>					
Antioch, 212 H St - Dispatch Facility (2/3 Sheriff's)	2,350	1,567	n/a	0	(1,567)
Martinez, 729 Castro St - Criminalistics Laboratory (1/3 Sheriff's)	2,200	733	n/a	0	(733)
Martinez, 500 Court St - Criminalistics Laboratory (1/3 Sheriff's) (GGC)	n/a	n/a	3,209	1,070	1,070
Martinez, 401 Escobar St - Property Storage (1/2 Sheriff's)	3,900	3,900	0	0	(3,900)
Martinez, 821 Escobar St - Training (10% Field Operations)	n/a	n/a	0	0	0
Martinez, 1139 Escobar St - vacant (1/2 Sheriff's)	1,684	842	1,684	842	0
Martinez, 1236 Escobar St - SFR & parking lot - storage	n/a	n/a	3,580	3,580	3,580
Martinez, 1122 Escobar St - Criminalistics (1/2 Sheriff's)	8,764	4,382	8,764	4,382	0
Martinez, 30 Glacier Dr - Tech. Svcs. Admin. (30% Field Support)	n/a	n/a	4,593	1,531	1,650
Martinez, 40 Glacier St - Communications Center (1/2 Sheriff's)	6,500	3,250	6,500	3,250	0
Martinez, 815 Marina Vista - Administration (40% Field Support)	n/a	n/a	0	0	0
Martinez, 823 Marina Vista - Administration (40% Field Support)	n/a	0	0	0	0
Martinez, 1960 Muir Rd - Criminalistics Laboratory (1/3 Sheriff's)	n/a	0	20,000	6,667	6,667
Martinez, 651 Pine St - Administration (40% Patrol Support)	7,500	3,000	18,100	7,240	4,240
Martinez, 651 Pine St/No. Wing - Records	3,800	3,800	0	0	(3,800)
Martinez, 651 Pine St/No. Wing - Administration (40% Patrol Support)	1,470	490	0	0	0
Martinez, 2530 Arnold Dr - Records/Crime Lab	n/a	n/a	35,000	35,000	35,000
Concord, 2099 Arnold Ind, Ste C&D - Prop Svcs, Crime Lab/Patrol Support-Lt	n/a	n/a	24,925	24,925	24,925
Concord, 2099 Arnold Ind, Ste C - Property Svcs, Crime Lab/Patrol Support	n/a	n/a	n/a	n/a	0
					<b>Total</b>
					<b>67,132</b>
<b>Leased Patrol Facilities</b>					
Danville, 1092 Eagle Nest Pl - Patrol Substation	n/a	0	600	600	600
Byron, 1636 Discovery Bay Blvd - Auxiliary Patrol Activities	n/a	0	n/a	0	0
Discovery Bay, 1555 Riverlake Blvd, Ste J - Patrol Substation	n/a	0	800	800	800
Crockett, 1528 Pomona St - Auxiliary Patrol Activities	n/a	0	140	140	140
Richmond, 1675 1st St - Auxiliary Patrol Activities	n/a	0	n/a	n/a	0
Rodeo, 301 California St - Auxiliary Patrol Activities	n/a	0	n/a	n/a	0
Bay Point, 642 Pt Chicago Hwy - Auxiliary Patrol Activities	n/a	0	825	825	825
Bethel Island, 5993 Bethel Island Rd, Suite B	n/a	0	1,100	1,100	1,100
WC, 3003 Oak Rd, Ste 110 - Res Dep.- PH BART - Leased	n/a	0	269	269	269
					<b>Total</b>
					<b>3,734</b>
					<b>Grand Total</b>
					<b>78,626</b>
					<b>Grand Total Minus Leased</b>
					<b>74,892</b>
<b>Additional Sheriff Property</b>					
Clayton, 12000 Marsh Ck Detention					
Staff Locker Bldg			1,344	1,344	
Work Shop, Storage, Inmate Welf Off			3,261	3,261	
Dorms F&G			14,352	14,352	
Wood Shop, Storage			976	976	
Pump House			-	-	
Medical Coach			626	626	
Chapel			2,015	2,015	
Shop			5,796	5,796	
School Office			1,740	1,740	
Kitchen			7,372	7,372	
Dorms D&E			14,352	14,352	
Pump House			-	-	
Laundry/DSW Office			2,080	2,080	
Dorms B&C			13,872	13,872	
Security Cell			441	441	
Bldgs 182-200			1,426	1,426	
Classroom 1			960	960	
Former Fire Stn			4,639	4,639	
Classroom 2			960	960	
Classroom 3			960	960	
Supply Storage			608	608	
Martinez, 835 Castro St - Leased			1,800	1,800	
Martinez, 815 Court St - Leased			1,763	1,763	
Martinez, 920 Mellus St			3,500	3,500	
Martinez, 1959 Muir Rd			-	-	
Martinez, 1980 Muir Rd			400	400	
Martinez, Pine St @ Mellus St @ Court St			-	-	
Martinez, 651 Pine St, N. Wing			-	-	
Martinez, 900 Thompson St-Leased			3,850	3,850	
Pittsburg, 340 Marina Blvd-Leased			16,000	16,000	
Richmond, 5555 Giant Hwy - West County Detention Center					
Admin/Medical/Inmate Programs			18,926	18,926	
Housing, Visiting			19,352	19,352	
Inmate Programs			6,073	6,073	
Admin, Mtce, Kitchen, Intake			70,975	70,975	
Housing			30,424	30,424	
Housing			30,424	30,424	
Housing			30,424	30,424	
Housing			30,424	30,424	
Women's Program Bldg			12,320	12,320	
Martinez, 50 Glacier Dr, Office of Emergency Services			6,175	6,175	
Martinez, 1127 Escobar St,					
Martinez, 1000 Ward St, Detention			161,405	161,405	

**Compliance Checklist**

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

# Attachment F

## **4. GROWTH MANAGEMENT ELEMENT**

## 4. GROWTH MANAGEMENT ELEMENT

### TABLE OF CONTENTS

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4.4 GOALS, POLICIES AND IMPLEMENTATION MEASURES	4-4
Goals	4-4
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## **4. GROWTH MANAGEMENT PROGRAM**

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### **4.1 INTRODUCTION**

The purpose of this Element is to establish policies and standards for traffic levels of service and performance standards for fire, police, parks, sanitary facilities, water and flood control to ensure generally that public facilities consistent with adopted standards are provided. By including this Element in the adoption of the General Plan, the County intends to establish a long range program which will match the demand for public facilities to serve new development with plans, capital improvement programs and development impact mitigation programs. The intent is to ensure that growth takes place in a manner that will ensure protection of the health, safety and welfare of both existing and future residents of Contra Costa County.

The responsible management of growth in the County is key to preserving the quality of life for current and future County residents.

This Growth Management Element is the culmination of a process which was created by the Mayors' Conference and the County Board of Supervisors. The Contra Costa Transportation Partnership Commission was established as a Transportation Authority under State law (PUC Section 180000) to provide a forum for transportation issues in the County and to propose ways to manage traffic congestion. By approving Measure C - 1988, the voters established the Transportation Authority, added one-half cent to the County sales tax for the next 20 years to be used for transportation funding, and gave the Transportation Authority the charge to implement a Growth Management Program. That program requires the County and each city to develop a Growth Management Element as part of its General Plan in order to be eligible to receive local street maintenance and improvement funds generated by Measure C-1988.

This Growth Management Element complies with the model element developed by the Transportation Authority and includes the sections required by Measure C - 1988 to be part of this Growth Management Element. These sections (1) adopt traffic levels of service standards (LOS) keyed to types of land use, and (2) adopt performance standards maintained through capital projects for fire, police, parks, sanitary facilities, water and flood control. The Transportation Authority recognizes that facilities standards, as are discussed in this Element, establish performance standards to be applied in the County's development review process.

In addition to adopting this Growth Management Element as part of the General Plan under Measure C - 1988, the voters of the County, in Measure C - 1990, reaffirmed that growth management should be an integral part of this General Plan.

This Element is also adopted pursuant to the authority granted to local jurisdictions by Section 65303 of the Government Code of the State of California, which states:

#### **4. Growth Management Program**

"The General Plan may include any other elements or address any other subjects which, in the judgment of the legislative body, relates to the physical development of the county or city."

#### **4.2 RELATIONSHIP TO OTHER GENERAL PLAN ELEMENTS**

As indicated in Section 3, Land Use Element, the Growth Management Element works closely in conjunction with the Land Use Element to ensure that development proceeds in a manner which will not negatively affect facility and traffic service standards for existing land uses. In this regard, it should be noted that developments which cannot satisfy the assurances required by these standards should not be approved. By utilizing this Growth Management Element to responsibly manage new development proposals, the County will ensure that new development projects will bear their appropriate share of the adverse burdens and impacts they impose on public facilities and services. As a result, the Growth Management Element must be carefully considered together with Land Use and other elements of this General Plan when assessing General Plan consistency. The timing of the potential physical development contemplated in the Land Use Element will in part be determined by the ability of developers to satisfy the policies and standards described in this Growth Management Element. The Urban Limit Line (ULL) and the 65/35 Land Preservation Standard also work together with the Growth Management Element to ensure that growth occurs in a responsible manner and strikes appropriate balances between many competing values and interests.

In addition, this Growth Management Element contains implementing programs which encourage new development to promote the goals and objectives of the Conservation Element; the Public Facilities and Services Element; and the Housing Element. Moreover, by establishing an interjurisdictional land supply and development monitoring program, the Growth Management Element coordinates the implementation of the County General Plan with those of the 19 cities in the County.

To carry out the goals and objectives of the Land Use and Circulation Elements of the Plan, new development must demonstrate that the level of service standards of the Growth Management Element will be met. Only in this way will the negative effects of such growth be avoided. While it is anticipated that new growth will be able to mitigate its potential impacts through development fees and other exactions, it is possible that the timing of project approvals may be affected by the inability of individual developments to carry its appropriate cost of full service increments needed to allow further growth in a given area of the County. Thus, the improvements needed to implement the Circulation and Public Facilities and Services Elements of the Plan will in part be directly tied to, and dependent upon, the implementation of the Growth Management Element. Similarly, implementation of the Land Use Element will only proceed when it can be demonstrated that the growth management standards can be met by new development.

Policies relating to this "Pay as you Grow" philosophy underpinning the Growth Management Element can be found in the Transportation and Circulation Element, Overall Transportation/Circulation Goals 5-E and 5-F, and in the Overall Transportation/Circulation Policies 5-1 through 5-4. Related Land Use Element Goals 3-F and 3-H and Land Use Policies 3-5 through 3-10 are also part of the policy framework which underlies the Growth Management Element, and are integrally related to it. In a similar fashion, each of the required growth management performance standards included in this Element is also included in the Public Facilities and Services Element under the applicable goals and policies listed for sewers, water, police, fire, parks and flood control.

### 4.3 TRAFFIC SERVICE STANDARDS AND FACILITIES STANDARDS

The basic unit of measurement of performance of an intersection or roadway segment is called a Level of Service (LOS). LOS is a measure of the ratio of the volume to capacity of a roadway or intersection and is expressed as a letter A through F. In general LOS A describes free flowing conditions, and F describes very congested conditions, with long delays. Routes of Regional Significance are those roadways which carry significant volumes of through traffic, which neither begins nor ends within the affected jurisdiction. They generally include Interstate Freeways and State Highways, as well as local roads which, due to their location between job and housing centers, carry significant volumes of intra-county trips. All other roadways are referred to in the Growth Management Element as Basic Routes. Basic routes, and their signalized intersections, are those to which LOS standards are applied in determining whether proposed projects may be approved. The methodology used in determining if projects exceed allowable LOS standards is the method established by the Contra Costa Transportation Authority in its Technical Procedures.

At present, most Basic Routes in the unincorporated area operate at or better than the LOS Standards specified in the Growth Management Element. Many Routes of Regional Significance are below these standards, however, reflecting the fact that the trips are not dependent upon land uses in unincorporated Contra Costa County, but are cumulative with traffic generated by land uses located outside of the unincorporated areas. Public Protection Facility standards contained in this plan are based upon the 1990 facilities to unincorporated population ratio. In the area of parks, for example, the current unincorporated population to park acreage yields a ratio of less than 1 acre per 1,000 persons. While certain developed areas of the County experience flooding in the event of the 100-year flood, the County Ordinance Code collect-and-convey requirements are applied to all new developments. Water and sewer services are generally adequate for existing development.

For the purposes of establishing a Public Protection Facility standard, several factors must be considered. Firstly, the unincorporated community of Kensington has established a Community Services District which provides the full range of police services in the area, and the Sheriff does not service this area. Secondly, the California Highway Patrol is responsible for enforcement of the Vehicle Code on highways and County roads throughout the unincorporated area. Thirdly, certain economies of scale enable the Sheriff to provide patrol and investigation services in physical facilities substantially smaller than a comparable series of cities would require, due to centralized administrative services, crime lab facilities and other similar functions which numerous cities would duplicate in each location. According to the Department, very little time is spent by deputies in the stations; nearly all is spent in the vehicles on patrol; no clericals are housed in the stations. In addition, the Sheriff also provides coroner services, incarceration and criminalistics services. For these reasons, direct comparisons between County facilities standards and standards that may be adopted by cities in the County are not advised, since such comparisons would be highly misleading.

The computation of a Sheriff facility standard in this General Plan includes only patrol and investigation services, adjusted for a marginal increase in centralized administrative services. As of January, 1991, the County provides approximately 155 square feet of floor area per thousand population in six locations throughout the County. In 1997, it became evident that the Sheriff's Office needed to include support facilities necessary to conduct patrol and investigation, which are now included in the calculation of new square footage.

## **4. Growth Management Program**

It should be noted that implementation of the goals of this Plan's various elements depends not only upon the County's administration of the Growth Management Program described below, but upon the interplay of several levels of government. Federal and State funding for improvements to Basic Routes will be required to attain and maintain traffic levels of service at designated levels. Finally, the County, the 19 cities, the Contra Costa Transportation Authority, the Bay Area Rapid Transit District, and the California Department of Transportation will all have to work cooperatively in order to mitigate the negative impacts of growth upon the regional transportation system to achieve the levels of population, housing and jobs anticipated by this Plan.

### **4.4 GOALS, POLICIES AND IMPLEMENTATION MEASURES**

#### **GOALS**

- 4-A. To provide for the levels of growth and development depicted in the Land Use Element, while preserving and extending the quality of life through the provision of public facilities and ensuring traffic levels of services necessary to protect the public health, safety and welfare.
- 4-B. To establish a cooperative interjurisdictional growth monitoring and decision making process in which each jurisdiction can share in the beneficial aspects of new growth, and avoid its potential negative effects.

#### **POLICIES**

- 4-1. New development shall not be approved in unincorporated areas unless the applicant can provide the infrastructure which meets the traffic level of service and performance standards outlined in Policy 4-3, or a funding mechanism has been established which will provide the infrastructure to meet the standards or as is stated in other portions of this Growth Management Element.
- 4-2. If it cannot be demonstrated prior to project approval that levels of service will be met per Policy 4-1, development will be temporarily deferred until the standards can be met or assured. Projects which do not, or will not, meet the standards shall be scheduled for hearing before the appropriate hearing body with a staff recommendation for denial, on the grounds that the project is inconsistent with the goals, policies, and objectives of the Growth Management Element of the County General Plan.
- 4-3. Table 4-1 shows the performance standards which shall apply to development projects. In the event that a signalized intersection on a Basic Route exceeds the applicable level of service standard, the County may approve projects if the County can establish appropriate mitigation measures, or determine that the intersection or portion of roadway is subject to a finding of special circumstances, or is a Route of Regional Significance, consistent with those findings and/or action plans adopted by the Contra Costa Transportation Authority pursuant to Measure C - 1988. Mitigation measures specified in the action plans shall be applied to all projects which would create significant impacts on such regional routes, as defined by the Authority in consultation with local agencies and as permitted by law. For the purpose of reporting to the Contra Costa Transportation Authority in compliance with the Growth Management Program, a list of intersections that will be reported on Basic Routes will be prepared and maintained by the Conservation and Development Department.
- 4-4. The County shall institute an ongoing growth management program process, as generally depicted in Figure 4-1.

#### 4. Growth Management Program

- 4-5. For the purpose of applying the Traffic Level of Service standards consistent with Measure C - 1988 only, unincorporated areas subject to the growth management standards of this Element shall be characterized as Central Business District, Urban, Suburban, Semi-rural and Rural as depicted in Figure 4-2.
- 4-6. Conformity with the growth management standards will be analyzed for all development projects such as, subdivision maps, or land use permits. A general plan amendment is a long range planning tool and is not to be considered a development project or a project approval under the growth management program.

#### **Traffic**

LOS Standards will be considered to be met if:

- o measurement of actual conditions at the intersection indicates that operations are equivalent to or better than those specified in the standard; or
- o the County has included projects in its adopted capital improvements program which, when constructed, will result in operations equal to or better than the standard.

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**TABLE 4-1  
GROWTH MANAGEMENT  
PERFORMANCE STANDARDS**

#### **Traffic Levels of Service Keyed to Land Use Type**

Rural Areas:	Peak Hour Level of Service of low C (Volume/Capacity Ratio= .70-.74)
Semi-Rural Areas:	Peak Hour Level of Service of high C (Volume/Capacity Ratio= .74-.79)
Suburban Areas:	Peak Hour Level of Service of low D (Volume/Capacity Ratio= .80-.84)
Urban Areas:	Peak Hour Level of Service of high D (Volume/Capacity Ratio= .85-.89)
Central Business: Districts (CBD):	Peak Hour Level of Service of low E (Volume/Capacity Ratio= .90-.94)

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Note: These terms are used solely with reference to the Growth Management Element performance standards.

#### **Water**

The County, pursuant to its police power and as the proper governmental entity responsible for directly regulating land use density or intensity, property development and the subdivision of property within the unincorporated areas of the County, shall require new development to demonstrate that adequate water quantity and quality can be provided. At the project approval stage, (subdivision map, land use permit, etc.), the County may consult with the appropriate water agency. The County, based on information furnished or available to it from consultations with the appropriate water agency, the applicant or other sources, should determine whether (1) capacity exists within the water system if a development project is built within a set period of time, or (2) capacity will be provided by a funded program or other mechanism. Project approvals conditioned on (1) or (2) above, will lapse according to their terms if not satisfied by verification that capacity exists to serve the specific project ("will serve letters"), actual hook-ups or comparable evidence of adequate water quantity and quality availability.

Figure 4.1 Flow Chart of Growth Management Process

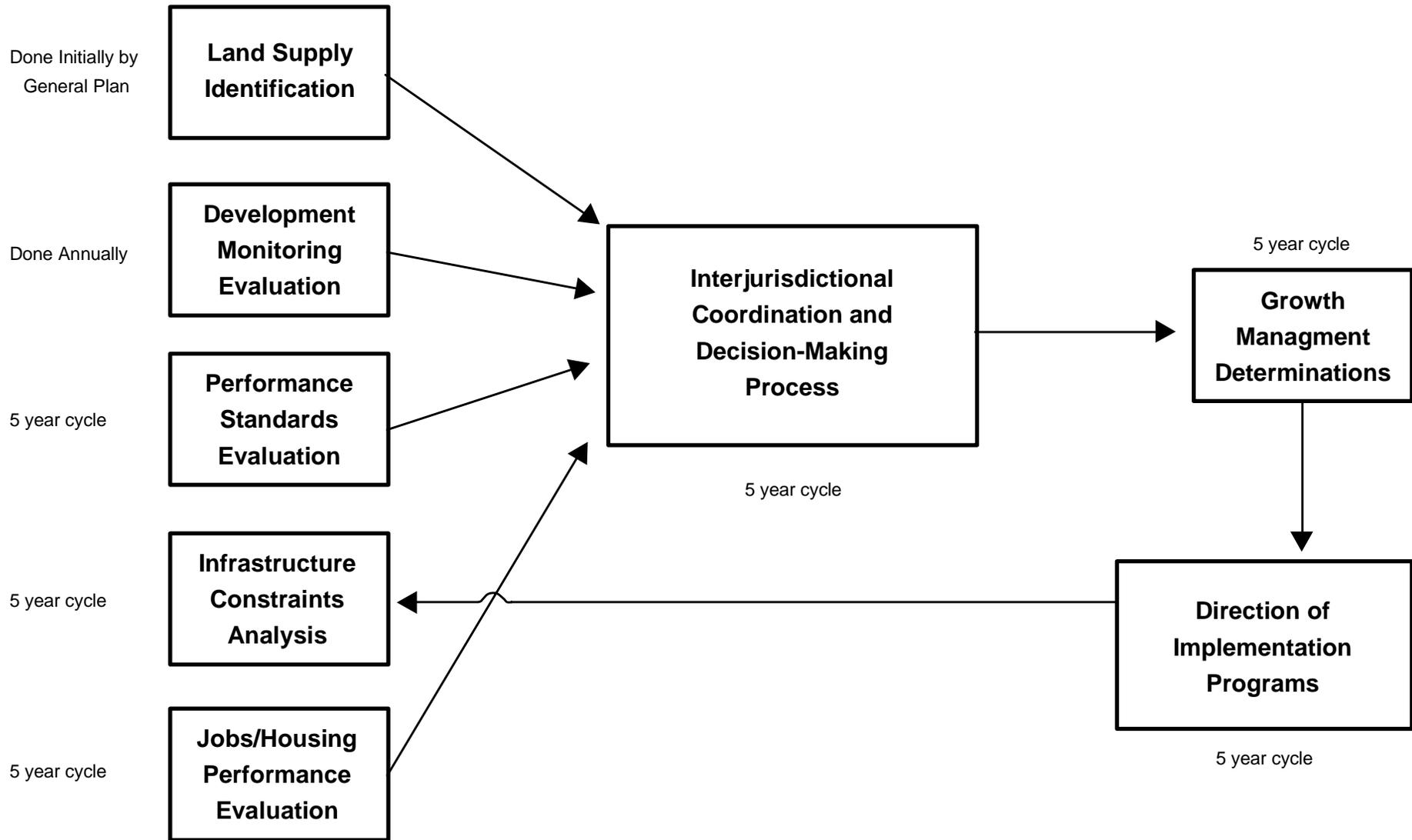
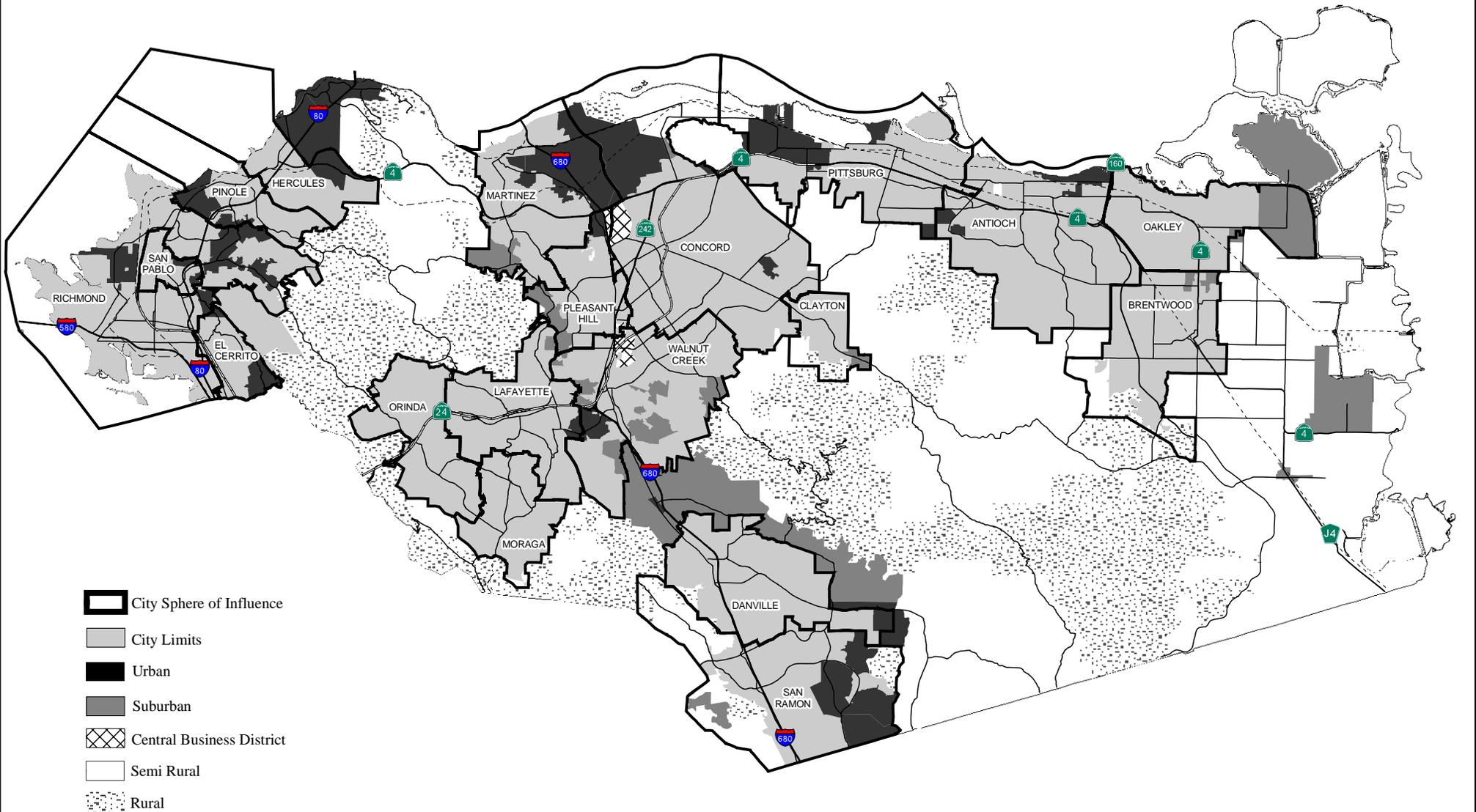


Figure 4-2 Level of Service Designations for Unincorporated Areas



- City Sphere of Influence
- City Limits
- Urban
- Suburban
- Central Business District
- Semi Rural
- Rural



ANTIOCH Incorporated Areas  
Alamo Unincorporated Areas

- Freeways and Highways
- Major Roads
- Bay Area Rapid Transit
- Railroads

# CONTRA COSTA COUNTY

Map Created on December 9, 2004  
 Contra Costa County Community Development  
 651 Pine Street, 4th Floor - N. Wing, Martinez, CA 94553-0095  
 37:59:48.455N 122:06:35.384W



## **4. Growth Management Program**

### **Sanitary Sewer**

The County, pursuant to its police power and as the proper governmental entity responsible for directly regulating land use density or intensity, property development and the subdivision of property within the unincorporated areas of the County, shall require new development to demonstrate that adequate sanitary sewer quantity and quality can be provided. At the project approval stage, (subdivision map, land use permit, etc.), the County may consult with the appropriate sewer agency. The County, based on information furnished or available to it from consultations with the appropriate sewer agency, the applicant or other sources, should determine whether (1) capacity exists within the sewer system if the development project is built within a set period of time, or (2) capacity will be provided by a funded program or other mechanism. Project approvals conditioned on (1) or (2) above, will lapse according to their terms if not satisfied by verification that capacity exists to serve the specific project ("will serve letters"), actual hook-ups or comparable evidence of adequate sewage collection and wastewater treatment capacity availability.

### **Fire Protection**

Fire stations shall be located within one and one-half miles of developments in urban, suburban and central business district areas. Automatic fire sprinkler systems may be used to satisfy this standard.

### **Public Protection**

A Sheriff facility standard of 155 square feet of station area and support facilities per 1,000 population shall be maintained within the unincorporated area of the County.

### **Parks and Recreation**

Neighborhood parks: 3 acres required per 1,000 population.

### **Flood Control and Drainage**

Require major new development to finance the full costs of drainage improvements necessary to accommodate peak flows due to the project. Limit development within the 100 year flood plain until a flood management plan has been adopted and implementation is assured. For mainland areas along rivers and bays, it must be demonstrated that adequate protection exists through levee protection or change of elevation prior to development. Development shall not be allowed in flood prone areas designated by the Federal Emergency Management Agency until a risk assessment and other technical studies have been performed.

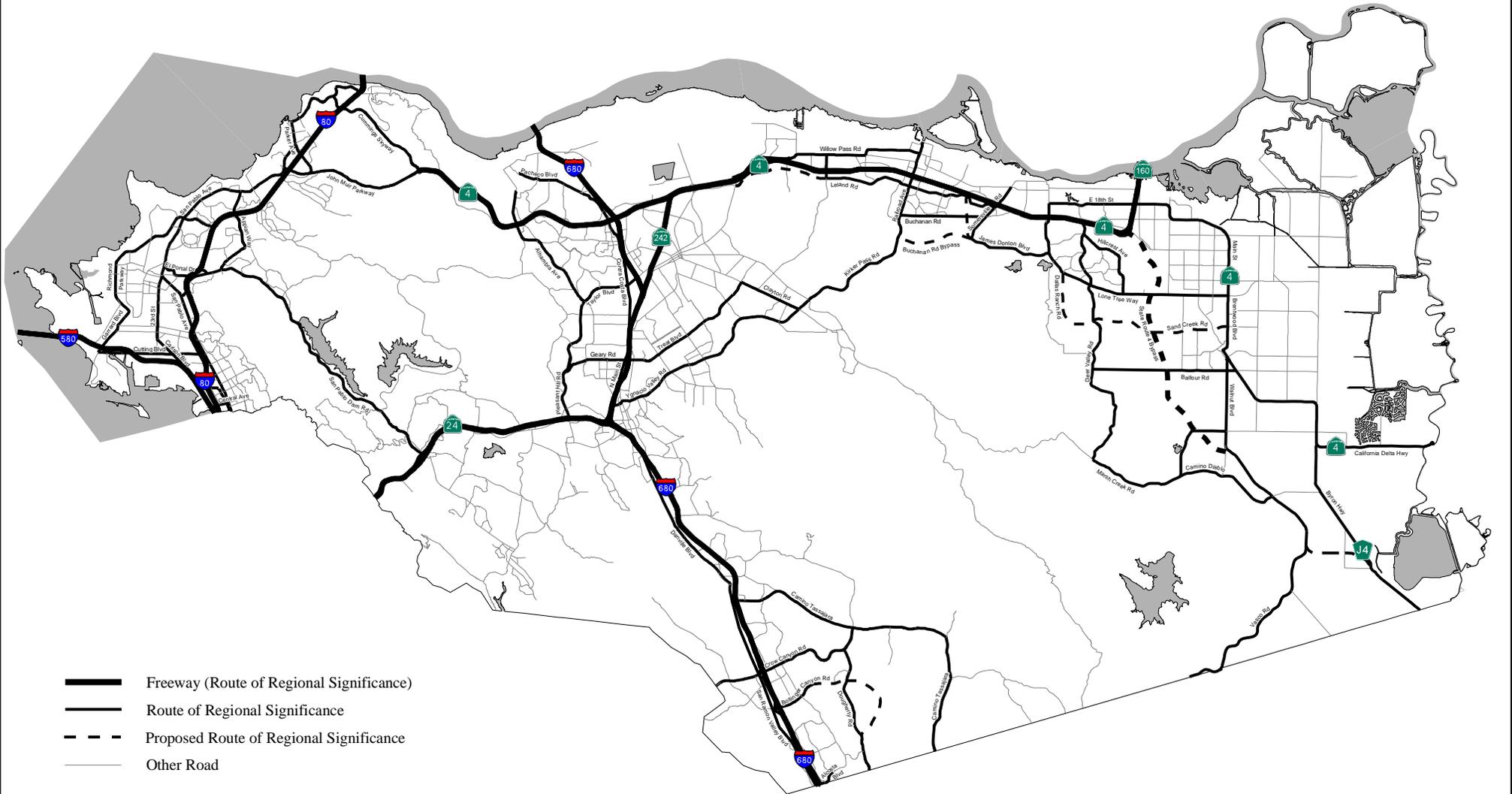
## **IMPLEMENTATION MEASURES**

- 4-a Incorporate the performance standards outlined in Policy 4-3 into the review of development projects.
- 4-b Work cooperatively with the 19 cities and the Contra Costa Transportation Authority through each of the Regional Transportation Planning Committees to define action plans for mitigating the impacts of development on Routes of Regional Significance.
- 4-c Require traffic impact analysis for any project which is estimated to generate 100 or more AM or PM peak-hour trips based upon the trip generation rates as presented in the Institute of Traffic Engineers (ITE) Trip Generation, 6th edition, 1997, or the most current published edition.

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- 4-d Require that during the review of development proposals, the traffic impact analysis shall determine whether a project could cause a signalized intersection or freeway ramp to exceed the applicable standard and shall identify mitigations/fees such that the intersection or ramp will operate in conformance with applicable standards. Development proposals shall be required to comply with conditions of approval detailing identified mitigation measures and/or fees. In no event shall Local Road Improvement and Maintenance Funds replace development mitigation fee requirements, pursuant to Measure C-88.
- 4-e Establish through application to the Contra Costa Transportation Authority, and in conjunction with the regional committees, a list of Routes of Regional Significance and Intersections proposed for Findings of Special Circumstances. Proposed projects affecting these routes and/or intersections will require alternate mitigation as specified in Action Plans to be adopted by the Transportation Authority, but in this respect only, shall not be subject to LOS Performance Standards. Map 4-3 shows the Routes of Regional Significance as adopted by the Transportation Authority in 2004. The County will assist in developing or updating Action Plans for these routes (and for other roads if the Transportation Authority revises the Routes of Regional Significance in the future.)
- 4-f In the event that any Basic Route does not meet adopted standards the County shall consider amendments to either its General Plan Land Use Element, Zoning, Capital Improvement program or other relevant plans or policies in order to attain the standards. If this is not feasible for the reasons specified in the Transportation Authority's "Implementation Guide: Traffic Level of Service Standards and Programs for Routes of Regional Significance" application for findings of special circumstances shall be made to the Transportation Authority. Such application shall include alternative proposed standards and mitigation measures.
- 4-g Capital projects sponsored by the County and necessary to maintain and improve traffic operations will be specified in a five year Capital Improvement Program (CIP). Funding sources for such projects, as well as intended project phasing, if any, shall be generally identified in the CIP.
- 4-h The County will participate in the Contra Costa Transportation Authority Conflict Resolution Process as needed to resolve disputes related to the development and implementation of Action Plans and other programs described in the Transportation Authority's Model Growth Management Element.
- 4-i The County will implement specified local actions in a timely manner, consistent with adopted action plans.
- 4-j As part of its program to attain Traffic Service levels, the County shall continue to implement its Transportation Demand Management Ordinance.
- 4-k No development project (subdivision map, land use permit, etc.) shall be approved unless findings of consistency have been made with respect to Policy 4-3.
- 4-l The County will adopt a development mitigation program to ensure that new development pays its fair share of the cost of providing police, fire, parks, water, sewer and flood control facilities.

Figure 4-3 Routes of Regional Significance



-  Freeway (Route of Regional Significance)
-  Route of Regional Significance
-  Proposed Route of Regional Significance
-  Other Road



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- 4-m The County will only approve projects after finding that one or more of the following conditions are met:
  - (a) Assuming participation in adopted mitigation programs, performance standards will be maintained following project occupancy;
  - (b) Because of the characteristics of the development project, specific mitigation measures are needed to ensure the maintenance of standards, and these will be required as conditions of project approval; or,
  - (c) Capital improvements planned by the service provider will assure maintenance of standards.
  
- 4-n Capital Projects sponsored by the County and necessary to maintain levels of performance shall be identified in the five year Capital Improvement Plan (CIP). Funding sources for the complete cost of the improvements, and phasing, if any, shall also be identified.
  
- 4-o All new development shall contribute to, or participate in, the improvement of the parks, fire, police, sewer, water and flood control systems in reasonable proportion to the demand impacts and burdens generated by project occupants and users.
  
- 4-p The County shall develop and carry out a growth management/monitoring program as generally indicated in Figure 4-1, as follows:
  - (a) a land supply and development monitoring process;
  - (b) periodic review of performance standards and monitoring of infrastructure constraints;
  - (c) interagency coordination and decision-making to provide information for the first two tasks and successfully implement the overall growth management program;
  - (d) a jobs/housing performance evaluation to determine their relative balance within each sub-region of the County; and
  - (e) growth management determinations, a process which identifies growth areas capable and incapable of meeting performance standards, and directs resources to overcoming any constraints.

These components are described in detail below.

#### **Adoption of Performance Standards**

The first step in the growth management program process is completed upon the adoption of performance standards for public facilities and services in this Growth Management Element. Figure 4-1 shows the flow chart of the growth management process.

#### **Land Supply/Development Monitoring Analysis**

The second step in the growth management process, an analysis of land supply and development monitoring, will commence at the beginning of each calendar year. Annual status reports on the implementation of the General Plan and its Growth Management Element will be submitted to the Board of Supervisors and City Councils in June. This status report will fulfill the requirements of Government Code 65400 (b) in the State planning and zoning laws, which requires that every city and county must prepare an annual report to the City Council or Board of Supervisors and the State which summarizes the status of the General Plan and the progress that has been made in its implementation. The subsequent steps in the process, commencing with the performance standards evaluation, will occur on a five-year cycle.

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The land supply and development monitoring process is a two-part component designed as the basis for the periodic re-examination of lands available in the County for urban development. The availability of developable lands is then contrasted against the actual rate of growth which has been measured over the most recent period. In essence, this component is a land supply and demand tracking process. This process is designed to work in tandem with the other four components (performance standards/infrastructure constraints analysis, interjurisdictional coordination, jobs/housing balance analysis, and growth management determinations) in order to obtain an updated, working perspective of the current capacity of the County to accommodate growth.

The land supply and development monitoring process is prepared in an objective fashion by staff, using a set methodology defined and agreed to by the jurisdictions involved (the County, the 19 cities, the Local Agency Formation Commission (LAFCO) and the individual service providers). The re-examination of the land supply (initially set by the General Plan Review Program) will occur on an annual basis, in concert with the State Population Certification program which is already conducted by the County and each city planning department.

Using a standard format and methodology should provide a high degree of confidence in the process and the established annual schedule should alert the development interests, city agencies, and special districts as to when their contribution will be critical. At the beginning of each annual cycle, formal notification will be given to each of the cities informing them that the land supply and development monitoring process is being initiated and requesting their active participation and cooperation.

The Land Use Information System (LUIS), developed in 1987, and the more recent Geographic Information System, provides the foundation for tracking overall land supply, land absorption, and changing land uses in the County. The specific questions that must be answered during this process with the use of the updated LUIS data system are:

- o how many acres of vacant land in the County, specified by land use type, are identified as available for development?
- o what changes have occurred in these numbers since the previous evaluation?
- o how many acres of underutilized or previously developed land are available for redevelopment?
- o how many acres of land County-wide have been identified as unavailable for development based upon environmental, health and safety, public resource, or other conditions? The County Conservation and Development Department staff will prepare a report which examines the absorption rate (i.e. approved development projects) and the General Plan Amendment requests that have been received. The report on the status of development areas will rely upon residential and commercial/industrial building permit and other project approval information from the cities. This permit approval and General Plan Amendment application information will then be compared to the expected rate of residential and job growth projected for the jurisdiction over the planning period by the respective General Plans. The annual report will be forwarded to decision-making bodies for use in reviewing further General Plan Amendments which would alter the land supply component.

#### **Performance Standards Evaluation and Infrastructure Constraints Analysis**

While the second component of the growth management program (land supply and development monitoring) will be prepared on an annual basis, the final four components will generally be performed only once every five years. Although these final four

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components of the Growth Management Program will be comprehensively and formally evaluated every five years, circumstances may necessitate evaluating and modifying the standards during the annual review of the land supply and development component of this Growth Management Program. If circumstances so necessitate, the Board of Supervisors should consider all information before it, including the Land Supply/Development Monitoring Analysis, fiscal constraints, and other information obtained through consultation with the Contra Costa Transportation Authority, before modifying the standards. The data and analysis generated in the annual land supply and development monitoring reports will be aggregated for use in the tasks outlined in the following processes.

The intent of this third component of the growth management program, performance standards and infrastructure capacity evaluation, is to re-examine minimum allowable performance standards for development projects set in the General Plan, and to determine the remaining available capacities of certain infrastructure facilities.

The growth management program for the Contra Costa County General Plan mandates the establishment of infrastructure performance standards for several different services or facilities, including circulation (traffic), sanitary sewage, flood control and drainage, water supply, police and fire protection and emergency services, and parks and recreation. These standards and policies attempt to define a quality of life by setting benchmark indicators of the minimum levels of service required for specific urban services.

Every five years the performance standards would be reviewed by staff and the service providers by examining prior experience and ability to serve. In addition, service districts may be provided an opportunity to explain why certain standards are not being met and to explore measures to be taken to alleviate the situation. This information would then be used to evaluate whether the standards for the current review period were appropriate.

The second major task to be completed during this phase of the growth management program is an evaluation of the remaining infrastructure capacity in various areas of the County. Part of this evaluation will determine where and why certain existing urbanized areas are not being adequately served. The assumption is that adequate infrastructure capacities can be engineered and built to serve virtually any amount and location of urban growth within the ULL, but that opportunities exist to plan for cost-effective and efficient growth in areas particularly within the ULL, where underutilized infrastructure capacities already exist or where the extension of services is relatively unconstrained compared to other areas.

The basic data requirements of this portion of the process include:

- a determination of the remaining capacity for each facility or service provider based upon the defined performance standards, and identification of the geographic areas that could be served by the capacity;
- an itemization of funded infrastructure improvement projects, their location and expected date of completion, and the service area or population they are designed to serve;
- identification of urbanized areas with inadequate service, as defined by the adopted performance standards;
- an itemization of the major capital improvements not now funded but needed to bring existing areas into compliance with the performance standards;
- itemization of major capital improvements necessary to serve anticipated future development at the adopted service level, and the cost of these improvements;
- identification of major physical, economic and/or environmental constraints to the provision of service or facilities in a given area; and

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- o identification of possible sources of funding for the improvements.

The object of the data gathering is to illustrate where future growth can and cannot occur without major investment in new or improved infrastructure systems, and to identify the level and source of financing required. Additionally, the exercise will allow the preparation of estimates of future required capacity based upon the performance standards. One outcome of this process will be to provide up-to-date information concerning where future growth is expected to occur, thus assisting in capital facilities planning efforts.

To ensure that high density "leapfrog" growth does not occur, as a matter of policy, this growth management program mandates that new urban and central business district levels of development shall not be approved unless the development is within the ULL and near existing or committed urban or central business district levels of development.

#### **Jobs/Housing Performance Evaluation**

The purpose of this step is to provide a basis for assessing the jobs/housing balance within each section of the County for the current five year review cycle, to assist the jurisdictions in the sub-regions in determining preferred locations for residential and employment growth, and to assist in focusing the direction of implementation programs.

The jobs/housing balance evaluation is based upon the County's Land Use Information System data base, augmented by the information provided in the development monitoring evaluation. The evaluation considers growth in housing units and employment and housing and employment availability, relative affordability and commute patterns, and to the extent that the data are available, price of the units and wage levels of the jobs added.

The jobs/housing performance evaluation will be used to identify areas where jobs or housing should be stimulated and encouraged. It would also be used to provide information about areas in which infrastructure deficiencies need to be corrected in order to facilitate a better jobs/housing balance.

#### **Interjurisdictional Coordination and Decision-Making**

The growth management program outlined here will not succeed without the cooperation and active participation of the County, the Local Agency Formation Commission, the 19 cities, and the service providers. These agencies and cities may view cooperation with the County's growth management program as a threat to their local authority over land use or other growth issues. The County's efforts to achieve cooperation must be aimed at persuading the cities and agencies that the growth management program will ultimately enhance their ability to meet their own General Plan goals. In addition, the County will participate in the cooperative planning process established by the Transportation Authority for the purpose of reducing the cumulative regional traffic impacts of development.

Interjurisdictional cooperation would not require all of the cities and agencies to adopt the same goals, policies and implementation measures as will be included in the County's General Plan and growth management program. However, it would be desirable for the County to request that the cities and agencies adopt resolutions that specifically recognize and accept the growth management program and its premise.

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A key commitment by the jurisdictions involves the dedication of a relatively small, but adequate, level of staff time to assist the County in gathering the required data for the necessary planning studies. Additional commitments must be made on the part of policy makers and staff to review the annual land supply and development monitoring reports, consider them when making important planning decisions, and to actively participate in the growth management determination process every five years.

##### **Growth Management Determinations**

Building upon the preceding components of the growth management program, the final aspect of the process involves using the reports that have been generated to make the important decisions about where future growth in the County should be encouraged in order to minimize infrastructure costs and to enhance the overall level of "quality of life." The process for making these determinations is as important as the determinations themselves. The process can help to achieve consensus among cities and the County (in consultation with service providers) as to appropriate amounts and locations of new residential, commercial and industrial growth in the County. The growth management determination process should include the following steps, several of which are based upon information developed in the previous components of the program:

- o indicate on a County General Plan map the current city boundary lines, Spheres of Influence, the Urban Limit Line and current service areas for all of the major utilities/facilities;
- o add to the base map information regarding improvements or extensions to service systems that have been completed since the last review period or improvements itemized in capital improvement programs, as well as constructed and approved development projects and adopted General Plan Amendments;
- o identify lands that have been determined to be undevelopable;
- o identify on the map the geographic areas with infrastructure constraints and the locations of development projects that have been unable to meet performance standards;
- o review the annual land supply and development monitoring reports in conjunction with the performance standards and infrastructure constraints analysis reports to determine whether an adequate supply of vacant land is designated for urban use in the County and city General Plans, on both a Countywide and subregional basis, to allow the anticipated amount of urban development during the remainder of the twenty year period. This urban development must be subject to the 65/35 Land Preservation Standard. (See Section 3, Land Use Element.)
- o Determine whether adjustment to the urban limit line is needed in order to provide sufficient land to accommodate anticipated needs.

Growth management determinations shall be made in consultation with the Transportation Authority. In addition, it is anticipated that these growth management determinations will be made in a series of joint meetings conducted on a subregional basis with representatives of the cities. The Local Agency Formation Commission (LAFCO) and the service districts should also be consulted. Staff will present the base map and accompanying reports to the County and City Planning Commissions, LAFCO and service district boards, with a request that the agencies review the recommendations and make formal comments. After this review period is complete and appropriate changes, if needed, have been made, the map and reports will be recirculated to all of the jurisdictions in the County. The final action will be to request that the cities, LAFCO

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### **Definitions of Terms**

The following definitions apply to the geographic terms used with respect to the Growth Management Element only. The level of service designations for unincorporated County areas are shown in Figure 4-2.

**Rural.** Rural areas are defined as generally those parts of the County that are designated in the General Plan for agricultural, open space or very low density residential uses, and which are characterized by medium to very large parcel sizes (10 acres to several thousand acres). These areas have very low population densities, usually no more than 1 person per acre or 500 people per square mile.

**Suburban.** Suburban areas are defined as generally those parts of the County that are designated in the General Plan for low and medium density single family homes; low density multiple family residences; low density neighborhood- and community-oriented commercial/industrial uses; and other accompanying uses. Individual structures in suburban areas are generally less than 3 stories in height and residential lots vary from about one fifth of an acre (8,000 or 9,000 square feet) up to 2 or 3 acres. Population densities in suburban areas fall within a wide range, from about 1,000 to 7,500 persons per square mile (1.5 to 12.0 people per acre).

**Urban.** Urban areas are defined as generally those parts of the County that are designated in the General Plan primarily for multiple family housing, with smaller areas designated for high density single family homes; low to moderate density commercial/industrial uses; and many other accompanying uses. Urban areas usually include clusters of residential buildings (apartments and condominiums) up to three or four stories in height and single family homes on relatively small lots. Many commercial strips along major arterial road are considered urban areas.

Examples of urban areas in Contra Costa County are the older neighborhoods in Richmond, El Cerrito, Pittsburg, and Antioch and the downtown commercial districts in smaller cities such as Martinez, Danville, and Lafayette. Population densities in urban areas are usually at least 7,500 persons per square mile (12.0 people per acre). Employment densities in commercial areas may range up to about 15 jobs per acre.

**Central Business District/Major Commercial Center.** Central business districts or major commercial centers are defined as those areas designated in the General Plan for high density commercial and residential uses. They consist of either the downtown area of a major city in Contra Costa County (Concord, Walnut Creek, and Richmond) or a large business/office complex (such as Bishop Ranch or the Pleasant Hill BART station area). These areas are characterized by large concentrations of jobs and consist of clusters of buildings four stories or more in height. CBD's or major commercial centers generally have employment densities.

### **Contra Costa Transportation Authority Model Growth Management Element Correspondence Table**

Table 4-2 demonstrates how the policies contained in the County General Plan are consistent with (correspond to) the policies in the Contra Costa Transportation Authority Model Growth Management Element. These policies must be consistent for the County to qualify for Measure J transportation sales tax revenue.

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**TABLE 4-2  
CORRESPONDENCE TABLE BETWEEN  
MEASURE J - MODEL GROWTH MANAGEMENT ELEMENT (MGME)  
AND  
COUNTY GENERAL PLAN GROWTH MANAGEMENT POLICIES AND PROGRAMS**

Contra Costa residents extended the Measure C (1988) transportation sales tax and growth management program when they approved Measure J in 2004. Measure J changes the specific requirements for the growth management program from those set in Measure C, eliminating two requirements, adding one and clarifying or refining others. County growth management policies and programs developed to comply with Measure C are not inherently in conflict with Measure J growth management requirements as is demonstrated by this correspondence table. The one growth management requirement added by Measure J, a voter-approved urban limit line, was already part of the County General Plan in 1991. In response to a Measure J refinement to the Measure C Housing Options requirement, the General Plan was amended in 2008 to include adoption of policies and standards into the development approval process that support transit, bicycle and pedestrian access in new developments. The Measure J Model Growth Management Element requires local jurisdictions to provide a correspondence table that clearly identifies which sections of the Plan constitute each required Element. The County growth management policies and programs described in this table restate text in the County General Plan in the format required by the Measure J Model Growth Management Element.

<i>MODEL GROWTH MANAGEMENT ELEMENT (MGME)<sup>1</sup> FINAL – RELEASED ON 06-08-07</i>	<b>CORRESPONDING COUNTY GENERAL PLAN TEXT, GOALS, POLICIES OR PROGRAMS</b>
<b>1. INTRODUCTION</b>	
<b>1.1 Purpose</b>	
The purpose of this Growth Management Element (GME) to the General Plan is to establish the goals, policies and implementation programs that are intended to manage and mitigate the impacts of future growth and development within [the local jurisdiction]. This element is also intended to comply with the requirements of the Measure J Growth Management Program (GMP).	<p><u><i>Planned Levels of Development; The Urban Limit Line and Land Uses (Land Use Element §3.6, pg. #3-8)</i></u></p> <p><u><i>Introduction (Growth Management Element §4.1, pg. #4-1)</i></u></p> <p><u><i>Introduction (Housing Element §6.1, pg. #6-1)</i></u></p>
<b>1.2 Background<sup>2</sup></b>	
The Measure J GMP, adopted by the voters of Contra Costa in November 2004, requires each local jurisdiction to meet the six following requirements: <ul style="list-style-type: none"> <li>• Adopt a development mitigation program;</li> <li>• Address Housing Options;</li> <li>• Participate in an Ongoing Cooperative, Multi-Jurisdictional Planning Process;</li> </ul>	<p><u><i>Public Participation through Voting Process (Introduction §1.3, pg. #1-2 through 1-3)</i></u></p> <p><u><i>Introduction (Growth Management Element §4.1, pg. #4-1)</i></u></p>

<sup>1</sup> Local Growth Management Elements must substantially comply with the intent of this model element, but need not reflect its exact language or organization. Applicable policies that are contained in other elements of the jurisdiction’s General Plan should also be referenced here within the Growth Management Element.

<sup>2</sup> Contra Costa Transportation Authority, Ordinance 06-02 Amending and Restating the Measure C Transportation Expenditure Plan to Make Non-substantive Changes and insert Specific Provisions Moved from Ordinance 88-01.

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<p><i>MODEL GROWTH MANAGEMENT ELEMENT (MGME)<sup>1</sup> FINAL – RELEASED ON 06-08-07</i></p>	<p><b>CORRESPONDING COUNTY GENERAL PLAN TEXT, GOALS, POLICIES OR PROGRAMS</b></p>
<ul style="list-style-type: none"> <li>• Adopt an Urban Limit Line (ULL);</li> <li>• Develop a five-year capital improvement program; and</li> <li>• Adopt a Transportation Systems Management (TSM) Ordinance or Resolution.</li> </ul> <p>Measure J (2004) is a 25-year extension of the previous Measure C Contra Costa Transportation Improvement and Growth Management Program approved by the voters in 1988.</p> <p>Both programs include a ½ percent transportation and retail transactions and use tax intended to address existing major regional transportation problems. The Growth Management component is intended to assure that future residential business and commercial growth pays for the facilities required to meet the demands resulting from that growth.</p> <p>Compliance with the GMP is linked to receipt of Local Street Maintenance and Improvement Funds and Transportation for Livable Community funds from the Transportation Authority. The Growth Management Program defined by the original Ordinance 88-01 continues in effect along with its linkage to Local Street maintenance and improvement funds through March 31, 2009. Beginning on April 1, 2009, the Measure J GMP requirements take effect. Measure J eliminates the previous Measure C requirements for local performance standards and level-of-service standards for non-regional routes. Measure J also adds the requirement for adoption of a voter-approved ULL.</p>	
<p><b>1.3 Intent</b></p>	
<p>By adopting and implementing this Element, the jurisdiction intends to establish a comprehensive, long-range program that will match the demands for multi-modal transportation facilities and services generated by new development with plans, capital improvement programs and development mitigation programs. The Urban Limit Line is intended to promote compact urban development patterns and restrict the extension of infrastructure into areas where urban development is not planned.</p>	<p><i><u>Introduction (Growth Management Element §4.1, pg. #4-1)</u></i></p>

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<i>MODEL GROWTH MANAGEMENT ELEMENT (MGME)<sup>1</sup> FINAL – RELEASED ON 06-08-07</i>	<b>CORRESPONDING COUNTY GENERAL PLAN TEXT, GOALS, POLICIES OR PROGRAMS</b>
<b>1.4 Authority</b>	
<p>The GME is adopted pursuant to the authority granted to local jurisdictions by Section 65303 of the Government Code of the State of California which states:</p> <p><i>The general plan may include any other elements or address any other subjects which, in the judgment of the legislative body, relate to the physical development of the county or city.</i> The GME also is consistent with the requirements of Contra Costa’s Transportation Sales Tax Expenditure Plan (Measure J), approved by Contra Costa County voters in 2004, and as amended by the Contra Costa Transportation Authority.</p>	<p><u><i>Introduction (Growth Management Element §4.1, pg. #4-1)</i></u></p>
<b>1.5 Relation to Other General Plan Elements</b>	
<p><i>[Refer to other elements.]</i></p>	<p><u><i>Relationship to Other General Plan Elements (Land Use Element §3.2, pg. #3-2)</i></u></p> <p><u><i>Relationship to Other General Plan Elements (Growth Management Element §4.2, pg. #4-2)</i></u></p> <p><u><i>Relationship to Other Elements (Transportation and Circulation Element §5.2, pg. #5-1 through 5-2)</i></u></p> <p><u><i>Relationship to the General Plan (Housing Element §6.1E Table 6-1, pg. #6-6 through 6-7)</i></u></p>
<b>1.6 Organization of Element</b>	
<p>The GME establishes goals, and policies in Section 2 and sets forth corresponding implementation programs in Section 3. All sections are numbered sequentially, with the first number referring to the section and the second number to the subsection.</p>	<p><u><i>1.7 Definition of Maps, Goals, Policies, and Implementation Measures (Introduction pg. 1-5 through 1-7)</i></u></p>
<b>2. GOALS AND POLICIES</b>	
<b>2.1 Introduction</b>	
<p>The introductory text should:</p> <p><i>(1) Describe the relationship of the goals and policies in the GME to the other elements of the General Plan, especially the policies in the Circulation and Land Use element;</i></p> <p><i>(2) Define terms such as Action Plans, Routes of Regional Significance and Urban Limit Line, or refer to definitions in other parts of the Plan; and</i></p>	<p><u><i>(1) Relationship to Other General Plan Elements</i></u></p> <p><u><i>(Land Use Element §3.2, pg. #3-2)</i></u></p> <p><u><i>(See Relationship to Other General Plan Elements (Growth Management Element §4.2, pg. #4-2) under 1.5 Relation to Other General Plan Elements in the MGME)</i></u></p> <p><u><i>Relationship to Other Elements (Transportation and Circulation Element §5.2, pgs. 5-1 through 5-2)</i></u></p> <p><u><i>(2) Land Use Definitions (The Text of Measure C-1988 and Measure C-1990 §1.11, pg. #1-16)</i></u></p>

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<i>MODEL GROWTH MANAGEMENT ELEMENT (MGME)<sup>1</sup> FINAL – RELEASED ON 06-08-07</i>	<b>CORRESPONDING COUNTY GENERAL PLAN TEXT, GOALS, POLICIES OR PROGRAMS</b>
<p>(3) Present a general discussion of how the jurisdiction will comply with Measure J. Text may also be included that discusses the roles of other agencies in the attainment of standards, or other factors that relate to the success of the programs included in the Section.</p>	<p><u>(3) 4.1 Introduction (Growth Management Element, pg. #4-1)</u></p> <p><u>Growth Management Program (Housing Element §6.3, pg. #6-49 through 6-51)</u></p>
<b>2.2 Goals (Examples based on Measure J)</b>	
<ul style="list-style-type: none"> <li>• Assure that new residential, business and commercial growth pays for the facilities required to meet the demands resulting from that growth.</li> <li>• Support cooperative transportation and land use planning in Contra Costa County.</li> <li>• Support land use patterns that make more efficient use of the transportation system, consistent with the General Plans of local jurisdictions.</li> <li>• Support infill and redevelopment in existing urban and brownfield areas.</li> </ul>	<p><u>Land Use Goals, Policies and Implementation Measures (Land Use Element §3.8, pg. 3-32 and pg. 3-33 Goal 3-K)</u></p> <p><u>Goals, Policies and Implementation Measures (Growth Management Element §4.4, pg. 4-4)</u></p> <p>(See Table 6-1, Goal 6 and 7 under 1.5 Relation to Other General Plan Elements in the MGME)</p>
<b>2.3 Policies</b>	
<p>The local jurisdiction intends to comply with the Measure J GMP. The following policies are intended to implement Measure J and achieve the goals of this element:</p> <p><b>2.3.1 Development Mitigation Program:</b> Adopt and maintain in place a development mitigation program to ensure that new growth is paying its share of the costs associated with that growth.</p> <p><b>2.3.1.1 Local Mitigation Program:</b> The local jurisdiction shall adopt a local program to mitigate development impacts on non-regional routes and other facilities. Revenue provided from this program shall not be used to replace private developer funding of any required improvements that have or would have been committed to any project.</p> <p><b>2.3.1.2 Regional Mitigation Program:</b> The local jurisdiction shall participate in a regional development mitigation program to establish</p>	<p><u>Land Use Goals, Policies and Implementation Measures (Land Use Element §3.8, pg. #3-34 through 3-37)</u></p> <p><u>Goals, Policies and Implementation Measures (Growth Management Element §4.4, pgs. #4-4 through 4-8)</u></p> <p><u>Roadways and Transit Policies (Transportation and Circulation Element §5.6, pg. #5-15 and 5-16)</u></p> <p><u>Housing Goals and Policies (Housing Element §6.6, pg. #6-89 through 6-91 – only certain policies cited)</u></p> <p>(See Policies 3-5 through 3-7, 4-1 through 4-4, and 5-4 and 5-21 under 2.3 Policies in the MGME)</p> <p>(See Policies 3-5 through 3-7, 4-1 through 4-4, and 5-4 and 5-21 under 2.3 Policies in the MGME)</p> <p>(See Policies 4-3 and 4-4 under 2.3 Policies in the MGME)</p>

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<p><i>MODEL GROWTH MANAGEMENT ELEMENT (MGME) <sup>1</sup> FINAL – RELEASED ON 06-08-07</i></p>	<p><b>CORRESPONDING COUNTY GENERAL PLAN TEXT, GOALS, POLICIES OR PROGRAMS</b></p>
<p>fees, exactions, assessments or other mitigation measures to fund regional or subregional transportation improvements needed to mitigate the impacts of planned or forecast development on the regional transportation system.</p>	
<p><b>2.3.2 Address Housing Options:</b> Demonstrate reasonable progress in provide housing opportunities for all income levels and demonstrate reasonable progress in meeting housing goals.</p> <p><b>2.3.2.1 Periodic Reports.</b> Prepare periodic reports to the Contra Costa Transportation Authority to demonstrate reasonable progress in providing housing opportunities for all income levels.</p> <p><b>2.3.2.2 Impacts on Transportation.</b> Consider the impacts that the local jurisdiction’s land use development policies have on the local, regional, and countywide transportation system, including the level of transportation capacity that can reasonably be provided.</p> <p><b>2.3.2.3 Incorporation into Development Approval Process.</b> Incorporate policies and standards into the development approval process that support transit, bicycle and pedestrian access in new developments.</p>	<p>(See <i>Housing Element: §6.6 – Housing Plan (pg. #6-88 through 6-92 – only certain policies cited)</i> under 2.3 Policies in the MGME)</p> <p><u>Housing Plan (Housing Element Appendix B, pg. #6-1B, Table B-1, “Program Implementation Status”)</u> (<i>Periodic Reports are provided to CCTA via the Biennial Compliance Checklist</i>)</p> <p>(See <i>Policies 4-3</i> under 2.3 Policies in the MGME)</p> <p>(See <i>Policies 4-1 and 5-21</i> under 2.3 Policies in the MGME)</p>
<p><b>2.3.3 Participate in On-Going Multi-Jurisdictional Planning:</b> Participation in an on-going multi-jurisdictional planning process with other jurisdictions and agencies, the RTPC, and the Contra Costa Transportation Authority to create a balanced, safe, and efficient transportation system and to manage the impacts of growth.</p> <p><b>2.3.3.1 Action Plans.</b> Work with the RTPC to develop and update Action Plans for Routes of Regional Significance. For the network of designated Routes of Regional Significance, set Multimodal Transportation Service Objectives (MTSOs) for those routes, and identify actions for achieving the MTSOs. The Action Plans also include a process for monitoring and review of the traffic impacts of proposed new developments.</p>	<p>(See <i>Policies 4-4 and 5-1</i> under 2.3 Policies in the MGME)</p> <p>(see previous)</p>

#### 4. Growth Management Program

MODEL GROWTH MANAGEMENT ELEMENT (MGME) <sup>1</sup> FINAL – RELEASED ON 06-08-07	CORRESPONDING COUNTY GENERAL PLAN TEXT, GOALS, POLICIES OR PROGRAMS
<p><b>2.3.3.2 Travel Demand Model.</b> Apply the Authority’s travel demand forecasting model and <i>Technical Procedures</i> to the analysis of General Plan Amendments (GPAs) and developments exceeding specified thresholds for their effect on the regional transportation system, including the Action Plan MTSOs.</p> <p><b>2.3.3.3 Interagency Consultation.</b> Circulate traffic impact analyses to affected jurisdictions and to the RTPC for review and comment.</p> <p><b>2.3.3.4 Mitigation Program.</b> Work with the appropriate RTPCs to develop the mitigation program outlined in Section 2.3.1.2 above.</p> <p><b>2.3.3.5 Countywide Transportation Plan.</b> Participate in the preparation of the Authority’s Countywide Comprehensive Transportation Plan and the ongoing countywide transportation planning process.</p> <p><b>Travel Model Support.</b> Help maintain the Authority’s travel demand modeling system by providing information on proposed land use developments and transportation projects, including those projects that the jurisdiction has adopted as part of its five-year CIP.</p>	<p>(None)</p> <p>(See <i>Policies 4-4</i> under 2.3 Policies in the MGME)</p> <p>(See <i>Policy 4-3</i> under 2.3 Policies in the MGME)</p> <p>(None)</p> <p>(See 2.3.3 Participate in On-Going Multi-Jurisdictional Planning and 2.3.3.2 Travel Demand Model in the MGME)</p>
<p><b>2.3.4 Adopt an Urban Limit Line (ULL):</b> The local jurisdiction shall adopt a ULL that has been approved by the majority of the voters within the local jurisdiction. The ULL may be either a MAC-ULL, a County ULL, or a Local Voter ULL as defined in the Principles of Agreement (Attachment A) to the Measure J GMP (as amended).</p>	<p><u><i>Land Use Goals, Policies and Implementation Measures §3.8, pg. #3-34, Policies 3-5, 3-10 and 3-11</i></u></p>
<p><b>2.3.4.1 Applicability.</b> A complying ULL shall be in place through March 31, 2034, which is the end of the Measure J sales tax extension</p>	<p>(See 2.3.4 Adopt an Urban Limit Line in the MGME)</p>
<p><b>2.3.4.2 Policies.</b> The ULL includes the following policy provisions: <i>[List applicable policies here]</i></p>	<p>(See 2.3.4 Adopt an Urban Limit Line in the MGME)</p>
<p><b>2.3.5 Develop a Five-Year Capital Improvement Program (CIP).</b> Annually or biennially, prepare and maintain a capital improvement program that outlines the capital projects needed to implement the goals, policies, and programs of this General Plan for the next five years. The CIP shall include approved projects and an analysis of the costs of the proposed projects as well as a financial plan for providing the improvements.</p>	<p>(See <i>Policies 3-7 and 4-1</i> under 2.3 Policies in the MGME)</p>

#### 4. Growth Management Program

<i>MODEL GROWTH MANAGEMENT ELEMENT (MGME)<sup>1</sup> FINAL – RELEASED ON 06-08-07</i>	<b>CORRESPONDING COUNTY GENERAL PLAN TEXT, GOALS, POLICIES OR PROGRAMS</b>
<p><b>2.3.6 Adopt a Transportation Systems Management (TSM) Ordinance or Resolution:</b> To promote carpools, vanpools, and park and ride lots, the local jurisdiction shall maintain in place an ordinance or resolution that conforms to the model TSM ordinance or resolution that the Authority has drafted and adopted.</p>	<p>(See Policy 5-24 under 2.3 Policies in the MGME)</p>
<b>3. IMPLEMENTATION PROGRAMS</b>	
<b>3.1 Development Mitigation Program.</b>	
<p>The jurisdiction will adopt and implement a development mitigation program to ensure that new growth is paying its share of the costs associated with that growth. This program shall consist of both a local program to mitigate impacts on local streets and other facilities and a regional program to fund regional and subregional transportation projects, consistent with the Countywide Comprehensive Transportation Plan.</p>	<p><u>Land Use Goals, Policies and Implementation Measures (Land Use Element §3.8, pg. #4-9)</u></p> <p><u>Goals Policies and Implementation Measures (Growth Management Element §4.4, pg. #4-9, Measure 4-g)</u></p>
<p><b>3.1.1 Local Mitigation Program – Required Mitigation or Fees.</b> The jurisdiction will require development projects to provide local mitigation or fees as established for proposed new development.</p>	<p><u>Goals Policies and Implementation Measures (Growth Management Element §4.4, pg. #4-11, Measure 4-m and 4-n)</u></p> <p><u>Roadway and Transit Implementation Measures (Transportation and Circulation Element §5.6, pg. #5-17, Measure 5-e)</u></p>
<p><b>3.1.2 Regional Mitigation Program – Required Fees and Exemptions.</b> The jurisdiction will require development projects to pay regional development mitigation fees established by the RTPC in accordance with the RTPC’s adopted program. [List specific RTMP requirements here]</p>	<p><u>Goals Policies and Implementation Measures (Growth Management Element §4.4, pgs. #4-8 and 4-9, Measures 4-b and 4-d)</u></p> <p><u>Roadway and Transit Implementation Measures (Transportation and Circulation Element §5.6, pg. #5-17, Measure 5-f)</u></p>
<p><b>3.1.3</b> Analyze the impacts of land use policies and future development on the transportation system by evaluating General Plan Amendments and requiring preparation of traffic impact reports for projects that generate in excess of a specified traffic threshold.</p>	<p><u>The General Plan Amendment Process (Introduction §1.10, pg. #1-9)</u></p> <p><u>Goal, Policies and Implementation Measures (Growth Management Element §4.4, pgs. #4-8 and 4-9, Measures 4-c through 4-e)</u></p> <p><u>Contra Costa County Guidelines for Administering the California Environmental Quality Act (2010), Appendix M</u></p>
<p><b>3.1.4 Use of Measure J Funds.</b> Measure J transportation improvement funds, including the 18% Local Street Maintenance and Improvement Funds, may be used for any eligible transportation purpose. In no case, however, will those funds replace private developer funding for transportation projects determined to be required for new growth to mitigate the impacts it creates.</p>	<p><u>Goals, Policies and Implementation Measures (Growth Management Element §4.4, pg. #4-9, 4-d)</u></p>
<b>3.2 Address Housing Options.</b>	
<p>To achieve reasonable progress in providing housing opportunities for all income levels, the local jurisdiction will: [List specific implementation programs here, or reference programs located in the Housing Element]</p>	<p><u>Land Use Goals, Policies and Implementation Measures (Land Use Element §3.8, pg. #3-39, Measures 3-ab)</u></p> <p><u>Housing Plan (Housing Element Appendix B, pg. #6-1B, Table B-1, “Program</u></p>

#### 4. Growth Management Program

MODEL GROWTH MANAGEMENT ELEMENT (MGME) <sup>1</sup> FINAL – RELEASED ON 06-08-07	CORRESPONDING COUNTY GENERAL PLAN TEXT, GOALS, POLICIES OR PROGRAMS
	<u>Implementation Status”) (Periodic Reports are provided to CCTA via the Biennial Compliance Checklist)</u>
<p><b>3.2.1</b> Prepare a biennial report on the implementation of actions outlined in the local jurisdictions Housing Element, for submittal to CCTA as part of the biennial GMP Compliance Checklist. The report will demonstrate reasonable progress using one of the following three options:</p>	<p><u>Housing Plan (Housing Element Appendix B, pg. #6-1B, Table B-1, “Program Implementation Status”) (Periodic Reports are provided to CCTA via the Biennial Compliance Checklist)</u></p>
<p><b>3.2.1.1</b> Comparing the number of housing units approved, constructed or occupied within the jurisdiction over the preceding five years with the number of units needed on average each year to meet the housing objectives established in the jurisdictions Housing Element; or</p> <p><b>3.2.1.2</b> Illustrating how the jurisdiction has adequately planned to meet the existing and projected housing needs through the adoption of land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development; or</p> <p><b>3.2.1.3</b> Illustrating how a jurisdiction’s General Plan and zoning regulations facilitate the improvement and development of sufficient housing to meet those objectives.</p>	<p><u>Goals, Policies and Implementation Measures (Growth Management Element §4.4, pgs. #4-11 through 4-12, “Land Supply/Development Monitoring Analysis”)</u></p> <p>(See 3.2.1.1 in the MGME)</p> <p>(See 3.2.1.1 in the MGME)</p>
<p><b>3.2.2</b> As part of the development review process, support the accommodation of transit, bicycle, and pedestrian access for new development. [List specific procedures]</p>	<p><u>Land Use Goals, Policies and Implementation Measures (Land Use Element §3.8, pg. #3-39 through 3-40, Measures 3-a1 through 3-ao)</u></p> <p><u>Goals Policies and Implementation Measures (Growth Management Element §4.4, pg. #4-9, Measure 4-j)</u></p> <p><u>Roadway and Transit Implementation Measures (Transportation and Circulation Element §5.6, pg. #5-18 through 5-23 (certain Measures only)</u></p>
<p><b>3.3 Multi-Jurisdictional Transportation Planning.</b></p>	
<p>The jurisdiction will participate in multi-jurisdictional transportation planning by participating in activities of the RTPC including development of Regional Route Action Plans and cooperating in the assessment and mitigation of traffic impacts in neighboring jurisdictions when it is believed that local actions contribute to conditions at such intersections.</p>	<p><u>Goals, Policies and Implementation Measures (Growth Management Element, §4.4 pg. #4-8, Measure 4-b)</u></p>

#### 4. Growth Management Program

MODEL GROWTH MANAGEMENT ELEMENT (MGME) <sup>1</sup> FINAL – RELEASED ON 06-08-07	CORRESPONDING COUNTY GENERAL PLAN TEXT, GOALS, POLICIES OR PROGRAMS
<p><b>3.3.1 Action Plans for Routes of Regional Significance.</b> The map/list on page ( ) shows Routes of Regional Significance that have been designated by the local jurisdiction in cooperation with the RTPC and the Contra Costa Transportation Authority. The jurisdiction will participate with both agencies in developing and implementing Action Plans for Routes of Regional Significance.</p>	<p>(See <i>Measure 4-b</i> under 3.3 Multi- Jurisdictional Transportation Planning in the MGME)</p>
<p><b>3.3.2 Travel Demand Modeling.</b> The jurisdiction will apply the Authority’s travel demand model for analysis of General Plan amendments affecting land use or circulation and development projects that generate more than a specified threshold of peak hour trips to determine the effects on the regional transportation system and compliance with the Multimodal Transportation Service Objectives established in the Action Plan applicable to the jurisdiction’s planning area. The jurisdiction also will help maintain the Authority’s travel demand modeling system by providing information on proposed improvements to the transportation system, planned and approved development within the jurisdiction, and long- rang plans relative to ABAG’s projections for households and jobs within the local jurisdiction.</p>	<p><u><i>Land Use Goals, Policies and Implementation Measures (Land Use Element §3.8, pg. #3-38, Measure 3-o)</i></u></p>
<p><b>3.3.3 Other Planning and Implementation Programs.</b> The jurisdiction will work with the RTPC and the Contra Costa Transportation Authority to help develop other plans, programs and studies to address transportation and growth management issues.</p>	<p>(None)</p>
<p><b>3.3.4 Conflict Resolution.</b> The jurisdiction will participate in the Contra Costa Transportation Authority’s established conflict resolution process as needed to resolve disputes related to the development and implementation of Actions Plans and other programs described in this Element.</p>	<p><u><i>Goals, Policies and Implementation Measures (Growth Management Element §4.4, pg. #4-9, Measure 4-h)</i></u></p>
<p><b>3.4 Urban Limit Line (ULL).</b></p> <p>The jurisdiction will adopt either a Mutually Agreed-Upon Countywide ULL, a County ULL, or Local Voter ULL consistent with the requirements of the Measure J GMP (as amended by Authority Ordinance 06-04). Urban development is allowed within the line, subject to the policies and standards of the Land Use Element:</p> <p>The ULL can only be amended by a subsequent vote of the electorate; minor adjustments of less than 30 acres may be approved by a majority vote of the local jurisdiction’s legislative body.</p>	<p><u><i>Land Use Goals, Policies and Implementation Measures §3.8, pg. #3-38, Measures 3-p through 3-s)</i></u></p>
<p><b>3.5 Five-Year Capital Improvement Program.</b></p>	
<p>Capital projects sponsored by the local jurisdiction and necessary to maintain and improve traffic operations will be included in the five- year Capital Improvement Program</p>	<p>(See <i>Measure 4-g</i> under 3.1 Development Mitigation Program in the MGME)</p>

#### 4. Growth Management Program

<i>MODEL GROWTH MANAGEMENT ELEMENT (MGME) <sup>1</sup> FINAL – RELEASED ON 06-08-07</i>	<b>CORRESPONDING COUNTY GENERAL PLAN TEXT, GOALS, POLICIES OR PROGRAMS</b>
(CIP). Funding sources for such projects as well as intended project phasing will be generally identified in the CIP.	
<b>3.6 Transportation Systems Management.</b>	
As part of this growth management program, the jurisdiction will adopt and implement [a Transportation Systems Management (TSM) ordinance] or [a TSM Resolution] or [an alternative mitigation program].	(See <i>Measure 4-j</i> under 3.2.2 in the MGME)
<b>GLOSSARY</b>	
	(See Land Use Definitions under 2.1 Introduction in the MGME)

**Compliance Checklist**

Reporting Jurisdiction: Contra Costa County

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

# Attachment G



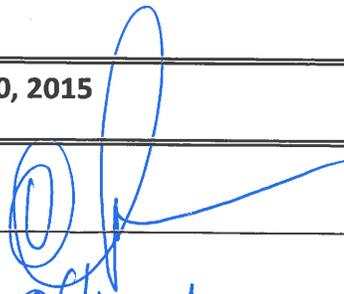
CONTRA COSTA  
**transportation  
 authority**

**LOCAL STREET MAINTENANCE AND IMPROVEMENTS FUNDS  
 (18% FUNDS)  
 REPORTING FORM (SUMMARY)  
 FOR ELIGIBLE EXPENDITURES DURING FISCAL YEAR 2014-15**

**Jurisdiction: CONTRA COSTA COUNTY**

(If you have any questions regarding this form, please contact Diane Bodon at CCTA, 256-4720.  
 Please return the form to CCTA, along with the project detail spreadsheet, Attention: Diane Bodon, at the address below

	Total for FY 2014-15
<b>Balance as of July 1, 2014</b>	6,232,488
<b>18% Funds Received during FY 2014-15</b> (actual, not accrued)	2,538,740
<b>Eligible Expenditures</b> (Please describe all expenditures in excess of \$10,000 on the LSM Audit Reporting spreadsheet.)	5,946,637
Local Street and Roads	
Growth Management Planning and Compliance	29,689
Transit Capital and Operations	461,176
Trails	
Parking Facilities	
TDM/TSM	221,748
<b>Total Expenditures during FY 2014-15</b>	6,659,250
Funds Remaining	2,111,978
Interest Earned	25,611
<b>Balance as of June 30, 2015</b>	2,137,589

Form prepared by: 

Phone: 925-674-7727  
 Email: Debra.Young@DCCO.county.ca.us

Title: Fiscal Officer

Date: 2/23/16

Jurisdiction: CONTRA COSTA COUNTY	CCTA Measure J Local Streets & Roads Maintenance Audit Reporting Form			
Reporting Period: FY 2014-2015				
Measure J 18%: \$2,384,478				
Project Type	Project Name	Project Description (Location, Limits)	Measure J Funds Expended (\$)	Reporting Metric (see instructions)
Local Streets and Roads	7 year Capital Rd Improvement Program PW	Development of database for capital road improvement and preservation program.	\$ 250,000	N/A - Administrative tasks.
Local Streets and Roads	San Pablo Dam Road Sidewalk Walkability Project PW	Reconstruct sidewalks and install pedestrian enhancements along San Pablo Dam Road between Appian Way and El Portal	\$ 200,000	Approximately 4,900 SY of sidewalk installed.
Local Streets and Roads	Port Chicago Highway and Willow Pass Rd Sidewalk Improvement PW	Construct sidewalk and bike lanes along Port Chicago Highway and Willow Pass Road. Reconfigure the Port Chicago Highway/Willow Pass Road intersection to remove the westbound free right turn lane.	\$ 100,000	N/A - Design phase work.
Local Streets and Roads	Byron Highway/Camino Diablo Rd Intersection Improvement PW	Construct safety improvements at the Byron Highway/Camino Diablo intersection, including a new traffic signal, left turn pockets, improve railroad crossing, and new sidewalks.	\$ 382,523	N/A - Design phase work.
Local Streets and Roads	Pavement Repairs/Prep PW	Conduct pavement maintenance to prolong the life of pavement, including potholing, pavement patching, base failure repair, and crack sealing.	\$ 1,600,000	1,949 Potholes filled 109,162 SY of Pavement Patching 2,507 SY of Base Failure Repairs 9.2 miles of Crack Sealing (Total project, 45% Measure J Funds)
Local Streets and Roads	Pavement Surface Treatment PW	Conduct pavement surface treatments such as chip seals, microsurface, and cape seals on various roadways in the unincorporated areas of El Sobrante, Pleasant Hill BART, Alamo, Blackhawk, and East Richmond.	\$ 3,400,000	Approximately 745,000 square yards (Total project, 84% Measure J Funds)
Other	Measure C Growth Management	Compliance with CCTA Growth Management Program including GMP tracking and maintenance of our GMP checklist, portion of County share of RTPC costs, preparation for Growth Management Element Update.	\$ 29,689	N/A
TDM/TSM	Employee TSM	Staff work related to Contra Costa County TSM program including bike lockers, car/vanpool program support, employee questions/referrals regarding transit and non-motorized commute options.	\$ 20,208	N/A
TDM/TSM	Countywide TSM	Staff time related to all bicycle and pedestrian, transit and school bus planning.	\$ 201,540	N/A
Other	Regional Transportation Planning Commission	Staff time related to attending RTPC meetings and portion of County share of RTPC costs.	\$ 461,176	N/A



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: April 12, 2016

Subject: System Improvement Plan

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**RECOMMENDATION(S):**

ACCEPT and APPROVE the Contra Costa County Employment and Human Services Department, Children and Family Services Bureau, System Improvement Plan as recommended by the Employment and Human Services Department Director and AUTHORIZE the Chair, Board of Supervisors, to sign the System Improvement Plan.

**FISCAL IMPACT:**

No Fiscal impact.

**BACKGROUND:**

Passed in fall 2001, Assembly Bill 636, the Child Welfare System Improvement and Accountability Act of 2001, is also known as the California Child and Family Services Review (C-CFSR). The legislation directed counties to undergo a process of self-assessment and system improvement in order to improve performance on key child welfare outcome indicators. Modeled after the Child and Family Services Review process which was designed by the federal government to assess state-level performance on child welfare outcomes, the C-CFSR process consists of three (3) components:

1. Contra Costa County conducted the Peer Quality Case Review (PQCR) in April of 2015. The collaborative process between Children

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Elaine Burres,  
313-1717

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

and Family Services (CFS), Juvenile Probation, Bay Area Academy, and California Department of Social Services was designed to highlight a practice area which CFS and Probation would like to focus to better understand each agency's performance and to plan how to improve services.

2. The County self-assessment (CSA) process presents an opportunity to learn what is and what is not working in the delivery of child welfare services within the county. Contra Costa County conducted its first self-assessment in 2004, others in 2006 and 2010 and the current assessment in December 2015/January 2016.

3. The final component of the process is the System Improvement Plan (SIP) which is the culmination of information that is received as a result of the PQCR and CSA. The SIP is the county's agreement with the California Department of Social Services (CDSS) that it will focus its attention and activities on improvements in specific areas utilizing clearly defined outcome indicators.

This board order is requesting the Contra Costa County Board of Supervisors to accept and approve the County Self-Assessment and System Improvement Plan.

CONSEQUENCE OF NEGATIVE ACTION:

County would be out of compliance with the California Child and Family Services Act.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

System Improvement Plan

# California - Child and Family Services Review

## System Improvement Plan

01/02/2016 – 01/02/2021





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# Introduction

Contra Costa County is located in Northern California across the San Francisco bay and is considered the northern portion of the East Bay region. Contra Costa is considered a large county in California. In population it is the ninth largest county and in geographical area, the 9th smallest county. The county seat is located in Martinez, CA. Geographically the county is divided into 3 areas, referred to as East, Central and West County. West County has traditionally been more urbanized, Central County is suburban, and historically rural East County is the fastest growing part of Contra Costa and now very suburban. The total county population continues to increase and is now well over one million people. The population has grown about 15% in 14 years and the increase has been steady each year; Contra Costa, along with San Joaquin, Monterey, Santa Clara, Yolo and Alameda counties had the largest percentage increases in population, each growing 1.3 is one of (*State of California, Department of Finance, E-2. California County Population Estimates and Components of Change by Year – July 1, 2010 – 2015, December 2015*) Total population in 2014 is 1,102,416. As part of the California CFS Case Review (C-CFSR) process and in compliance with the California Child Welfare System Improvement and Accountability Act of 2001 (AB 636), Contra Costa County CFS, in collaboration with Juvenile Probation and OCAP Liaison, and in consultation with California Department of Social Services (CDSS) presents this System Improvement Plan (SIP) to children and families in the county. Assembly Bill 636 was designed to improve outcomes for children in the child welfare system. To measure performance improvement, National and State performance indicators (Outcome Measures) have been identified. Measures monitor safety, reunification, permanency and stability, and well-being of children. Effective October 1, 2015, the CFSR3 measures were implemented. We have evaluated these measures and will be presenting them in this SIP. Quarterly reports documenting outcome performance are generated for each county and for the state to track performance.

California's 2001 Child Welfare System Improvement and Accountability Act established a three prong process to support counties in analyzing strengths and challenges, assessing performance and establishing plans with defined strategies for performance improvement.

These events are required during the first year of the five year cycle:



**Peer Review:** The host county selects an outcome measure where performance improvement is challenging. Staff from other counties with stronger performance in the outcome are invited to participate in reviewing the host county’s practice and to advise of strategies that have supported good performance in their counties.

**County Self Assessment (CSA):** This is a comprehensive review of child welfare and probation programs from prevention through permanence and after care. County stakeholders are invited to participate. The CSA report documents findings.

**Systems Improvement Plan (SIP):** Findings from the Peer Review and the County Self Assessment inform the generation of a System Improvement Plan that guides performance improvement for the next 4 years in the 5 year cycle. Performance improvement areas are identified and strategies are planned. The SIP is created approximately 5 months after completion of the County Self Assessment. January 2015 began a new cycle for Contra Costa; outcome measures performance for January 2015 sets the baseline by which improvement is measured for the next 5 years.

The Peer Review was the first activity required in the first year of the System Improvement Plan cycle. It was completed in April 2015 and the County Self Assessment was subsequently compiled. The SIP focuses on improving practice and performance and begins January 2, 2016 and runs through year 2021.

## C-CFSR TEAM AND CORE REPRESENTATIVES

The CFSR activities of the Peer Review, County Self Assessment and SIP have been monitored by the CFSR Team listed below. The SIP has been monitored by the Project Management Team. The Project Management team is made up of the CFS Director, CFS managers, supervisors, analysts, Parent Partner staff, Probation, and Research and Accountability Manager and CWS/CMS Support Staff. This team has met monthly for many years and has been led by Gloria Halverson, lead for the CSA. The SIP strategies and the SIP data have been presented and discussed in the Project Management team on a quarterly basis. Discussions during these meetings ensure that we make needed adjustments.

Formerly the Project Management Team focused on coordination of SIP, state and county initiatives and other implementation projects. This group was also responsible for monitoring performance in National and State Outcomes. Beginning in January 2016, the Project Management Team will be transformed into the Continuous Quality Improvement (CQI) Collaborative Meeting, which is a much broader scope that encompasses project management and monitoring activities previously completed but also works toward continuous quality improvement in all aspects of Children and Family Services programs. As we embark upon developing our Continuous Quality Improvement system, this meeting will serve multiple functions including overseeing our SIP data and strategies. The vision for the CQI Collaborative is, “Strive to create a Learning Community that is proactive, collaborative and is responsive to the needs of the organization (staff) and its stakeholders (family, children, community and partners).” Our goals are to 1) Continuously review and interpret quantitative and qualitative data related to child welfare practice, county policy and outcomes; 2) Share and receive information to and from the organization and its stakeholders; 3) Discuss data and develop action plans to improve the practice, policy and outcomes as needed; and 4) Identify training needs for the organization and its partners.

At the CQI Collaborative Meeting, on a quarterly basis, we will review and monitor our selected CFSR Outcomes, strategies and selected evaluation modalities. In addition to the Core Team members (listed below), we will include, at minimum, our CQI/Case Review supervisors, Policy Analysts, Staff Development Specialists, Parent Partners, Caregiver Liaison, and Community Contracts staff.

Collaboration with agency partners and community based organizations and service providers will be strengthened through the formation of a stakeholder group to address children’s needs (this is one of the SIP strategies addressed in this document). We will be reviewing the current team roster and inviting

other key stakeholders such as Representative Social Workers and other CWS staff to participate as SIP strategies are implemented and performance monitored.

### Core Team

Agency	Title	Name	Participation
<b>County Welfare Department</b>	Director	Joan Miller	Provided oversight, direction and review.
	Children’s Services Management Team	Various	Provided insight, oversight and contributed to writing sections related to focus areas.
	CFS Division Manager	Neely McElroy	Lead for SIP
	CFS Division Manager, retiree	Gloria Halverson	Facilitated Peer Review and served as lead for CSA
<b>OCAP</b>	CAPIT/CBCAP/PSSF	Juliana Granzotto	Lead for OCAP
<b>Parent Representative</b>	Family Engagement Supervisor	Judi Knittel	Represented parent and family view point, consultant for family issues.
<b>Probation Department</b>	Probation Manager	Kimberly Martell	Lead for Probation

## OUTCOME MEASURES AND SYSTEMIC FACTORS

### Prioritization and Decision Making Process

In addition to analysis of data provided in quarterly state CWS Outcomes Systems Summary reports, both Child Welfare and Probation have deployed a number of methods for determining which outcomes measures and systemic factors to address in this System Improvement Plan. First, our CFSR Core Team reviewed and analyzed the key findings from the Peer Review and County Self Assessment. Next, we analyzed the qualitative data procured from our CSA Stakeholder surveys, Peer Review focus groups, FACT Committee Needs Assessment surveys, and by use of UC Berkeley Data Reports.

Some of the CSA Key findings that we took into consideration when selecting our measures include:

- More efficient and accessible service array: More efficiency and support for staff and families in identifying, tracking and promoting available services is critical.
- Equal treatment for relative caregivers: Feedback from the relative and foster parent focus group calls for equal treatment for relative caregivers.
- Continued disproportionality of Black children.
- High Staff turnover in CFS at all levels.
- Training, coaching and mentoring for new social workers: There are significant challenges in identifying and planning training and support strategies for new Social Workers and then assuring training and follow-up is given.
- Improved Family engagement: This is needed due to frequent caseworker changes.
- Enhanced collaboration with families in the creation of the case plan is needed. Stakeholder feedback and agency review of case planning procedures indicates parents are not always fully engaged and involved in planning activities and identifying service providers.

For Probation, the following key findings were considered in the development of this SIP.

- Improve Placement unit culture. A change in the culture of the Placement Unit is necessary to increase the focus on timely and successful reunification.
- Improve family engagement.
- Improve use of Family Finding efforts. Reunification is not always possible and / or in the best interest of the minor. Probation will assess the use of Family Findings and explore alternatives to congregate care for youth who will not be reunifying.
- Improve CWS/CMS data entry. An increase in the amount of information and data entered into CWS/CMS is crucial. Probation's low performance in several measures – most notably Monthly Caseworker Contacts – is solely a result of a lack of data entry.
- Training and support for DPO's. Probation will continue to arrange through CDSS and the UC Davis Resource Center for Family-Focused Practice for ongoing training and support for staff in the use of CWS/CMS.

During our monthly Project Management Team meetings, we reviewed our qualitative data and performance trends for CFSR federal and state measures as reported in quarterly CWS outcomes Systems Summary reports. This has culminated in the identification of the measures to prioritize, the overarching goals we want to meet, and the strategies to help us meet our goals which will be discussed in the next two sections.

## Performance in Outcome Measures

### CHILD WELFARE

For Quarter 2 2015, Contra Costa County Children and Family Services has met or exceeded the following federal and state performance standards:

- S1 Maltreatment in foster care
- S2 Recurrence of Maltreatment
- P2 Permanency in 12 months (in care 12-23 months)
- P4 Re-entry to foster care in 12 months
- P5 Placement Stability
- 2B Immediate Response Referrals with a timely response
- 2B 10-Day referrals with a timely response
- 2D Timely Response (Immediate Response)

The County performance was below the federal and state standards, or our own county determined standards (indicated by asterisk), on the following which will be targeted in the SIP:

- P1 Permanency in 12 months (entering foster care)
- P3 Permanency in 12 months (in care 24 months or more)
- 2D Timely Response – Completed (10 day)\*
- 2F Monthly visits (out of home)
- 2F Monthly visits in residence (out of home)
- 2S Monthly Visits (in home)\*
- 2S Monthly Visits in Residence (in Home)\*

Additionally, we will add the following performance measures of 4B Least Restrictive First Entries into Placement and 4B Least Restrictive Point-in-Time Placements, 5B Timely Health and Dental Examinations and 5F Authorizations for Psychotropic Medication. These measures will assist us in tracking our rate of relative placements and timeliness of medical/dental treatment and tracking of psychotropic medications.

## PROBATION

For Quarter 2 2015, Contra Costa County Juvenile Probation has met or exceeded the following performance standards:

- S1 Maltreatment in foster care
- P5 Placement Stability

The County performance was below the state and national standards on the following, of which P1 and 2F will be targeted in the SIP:

- P1 Permanency in 12 months (entering foster care)
- P2 Permanency in 12 months (in care 12-23 months)
- P3 Permanency in 12 months (in care 24 months or more)
- P4 Re-entry to foster care in 12 months
- 2F Monthly visits (out of home)
- 2F Monthly visits in residence (out of home)

Probation did not select measures P2, P3, and P4 as specific focus areas for this SIP largely due to the relatively low number of youth impacted in those measures as compared to P1. Probation believes that the strategies planned to address our low performance on measure P1 will also result in an improvement in our performance on measures P2 and P3.

## Selected Outcomes

### CHILD WELFARE

Based on the needs identified in the 2015 County Self Assessment and an analysis of the current data from Quarter 2, 2015, Child Welfare has selected the following measures to address in the System Improvement Plan.

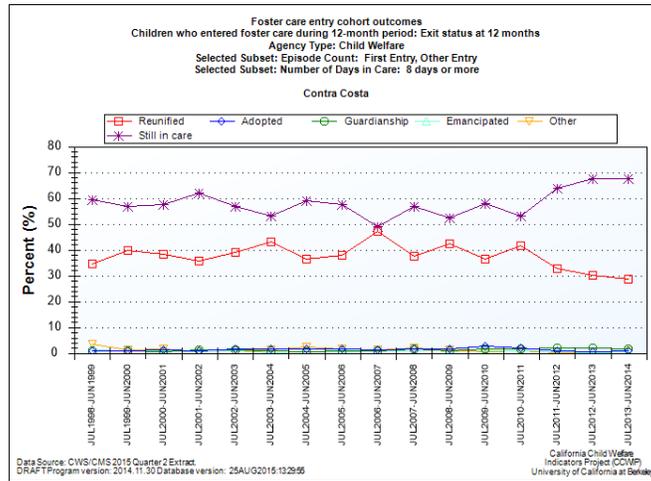
#### P1 Permanency in 12 months (Entering FC)

*Of all children who enter foster care in a 12-month period, what percent discharged to permanency within 12 months of entering foster care?*

Current Performance (Q2 2015)	National/State Standard	Percent below standard
<b>28.6%</b>	>40.5%	11.4%

*Data Source: CWS/CMS 2015 Quarter 2 Extract.*

We are currently performing 11.4% below the national standard of 40.5%. This measure tracks children exiting to permanency within 12 months of entering foster care. An analysis of this measure over the last five years shows that there has been a downward movement in this measure, from a high of 42.2% in 2008/2009, to the current rate of 28.6%. We have prioritized this measure in our SIP. We will focus specifically on reunification as it is highly unlikely that adoption or guardianship are accomplished within 12 months unless the reunification is not ordered by courts (also referred to as a “bypass” case).



The following 2 charts identify permanency within 12 months by type of permanency and age and ethnicity of children for the 12 month period October 1, 2013 to September 30, 2014. As indicated in these charts, the 2 age groups least likely to find permanency in 12 months are 1 to 11 months and 16 to 17 year olds. When comparing permanency by ethnicity, Latino’s are slightly more likely to be reunified within 12 months than children of Black and White ethnicity.

PERCENT	Age Group							All
	<1 mo	1-11 mo	'1-2 yr	'3-5 yr	'6-10 yr	'11-15 yr	16-17 yr	
	%	%	%	%	%	%	%	
<b>Reunified</b>	29.3	24.4	43.1	31.5	28.7	30.2	.	30.1
<b>Adopted</b>	7.3	.	.	.	.	.	.	0.7
<b>Guardianship</b>	.	.	3.1	6.8	2.3	3.5	.	2.9
<b>Emancipated</b>	.	.	.	.	.	1.2	5.9	0.4
<b>Other</b>	2.4	.	.	.	.	3.5	17.6	1.5
<b>Still in care</b>	61	75.6	53.8	61.6	69	61.6	76.5	64.4
<b>Total</b>	100	100	100	100	100	100	100	100

PERCENT	Ethnic Group						All
	Black	White	Latino	Asian/P.I.	Nat Amer	Missing	
	%	%	%	%	%	%	%
Reunified	29.3	29	33.9	25	.	.	30.1
Adopted	0.6	0.6	0.9	.	.	.	0.7
Guardianship	1.8	3.9	3.5	.	.	.	2.9
Emancipated	.	0.6	0.9	.	.	.	0.4
Other	1.8	1.9	.	.	33.3	.	1.5
Still in care	66.5	63.9	60.9	75	66.7	.	64.4
Total	100	100	100	100	100	.	100

Based on our CSA, there are a number of factors that might be impacting our lower reunification rates. These include the impact of high caseloads, new and inexperienced staff and turnover, delays in court hearings (continuances, contests, etc.), need for more focused engagement of families, and inclusion in the case planning process. Our strategies will address focused supervisor training, mentoring and support for inexperienced staff. Efforts to improve retention of staff are planned. , To address the court related issues, we have already re-instituted the Court Units in our Operational Districts and expectations for early family engagement and involvement in the court hearings are predicted to improve the court process thus reducing court continuances and contests. There are several strategies that address family engagement and improvement in the case planning process including implementation of SDM, continued use of SOP and supporting Social Workers and families in accessing needed services.

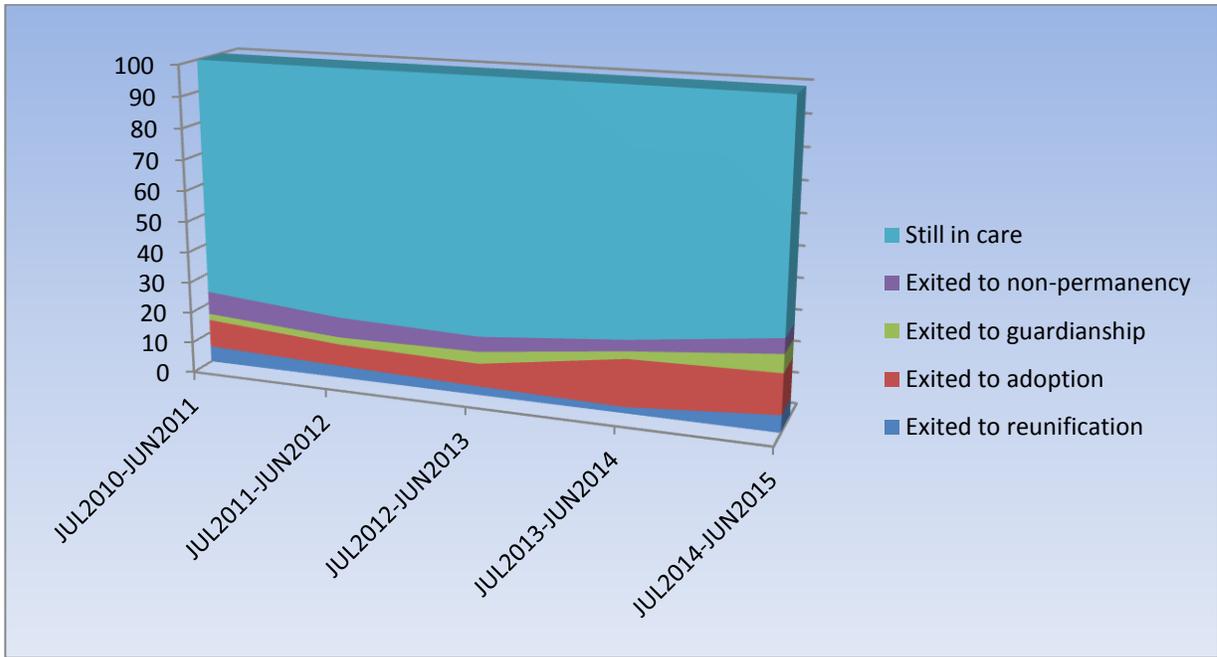
### P3 Permanency in 12 months (24+ months)

Of all children in foster care on the first day of a 12- month period, who had been in foster care (in that episode) for 24 months or more, what percent discharged to permanency within 12 months of the first day of the 12-month period?

Current Performance (Q2 2015)	National/State Standard	Percent below standard
24.4%	>30.3%	5.9%

Data Source: CWS/CMS 2015 Quarter 2 Extract.

We are currently performing 5.9% below the national standard of 30.3%. This measure tracks exits to all types of permanency (reunification, guardianship and adoption) for children who have been in foster care for 24 months or more. As the chart shows below, exits to adoption remain very strong. Guardianships and exits to non-permanency (emancipation, extended foster care) seem to remain steady. Our focus will center on improving reunification and guardianship rates in order to improve this measure.



In particular, we will focus our attention on increasing the rate and quality of kin placements. With the implementation of Approved Relative Care Funding Option (ARCFO) (See current Initiatives section), and the recent implementation of Fictive KinGAP, we strive to see improved permanency rates.

## 2D Time to First Completed Referral Contact – 10 days

The number of child abuse and neglect referrals that require, and then receive, an in-person investigation (excludes attempted) within the time frame specified by the referral response type.

Current Performance (Q2 2015)	CCC Standards	Percent below standard
49.8%	90%	25.2%

Data Source: CWS/CMS 2015 Quarter 2 Extract.

### 2D Time to First Completed Referral Contact (10-day)

April 1 – June 30, 2015 PERCENT	Age Group							All %
	Under 1	'1-2	'3-5	'6-10	'11-15	16-17	18-20	
	%	%	%	%	%	%	%	
<b>Timely Response</b>	45.1	51.4	51.5	47.3	51	59.6	0	50.2
<b>No Timely Response</b>	54.9	48.6	48.5	52.7	49	40.4	100	49.8
<b>Total</b>	100	100	100	100	100	100	100	100

Data Source: CWS/CMS 2015 Quarter 2 Extract.

Although this measure is not required and there is no state standard, we have selected it as it is significant to ensuring child safety. We will set our standard at 90% to ensure that more children have actual face to face visits within the 10 day response timeline. There are external factors that impact why children are not seen within the 10 days. One variable may be related to parent’s consent. If a parent

refuses access to a child, an ER social worker will have difficulties having the face to face with the child. We will utilize our strategies and action steps to identify barriers to completing contacts, to improve Social Worker efforts to complete the contact, and to identify and provide creative supportive mechanisms to support the Social Worker in completing contact. Additionally we will address issues of adequate safety for children by completing SDM Safety Assessments and Safety Plans within the required timelines.

## 2F Monthly Visits (Out of Home)

This measure reports the percent of months requiring an in-person contact in which that contact occurred. For each month in the 12-month period, the denominator is the number of children in care who were required to have an in-person contact, i.e., who were in an open placement episode for the full calendar month and the numerator is the number of children in the denominator who had at least one in-person contact during the month.

As outlined in ACIN 1-48-15, the Child and Family Services Improvement Act (the Act) of 2006 requires that effective October 2015, 95% of children in foster care under the jurisdiction of the court must be visited each month the child is in foster care and a majority of these visits must occur in the child’s home. We are currently below the national standard by 5.3% but are visiting children in the home more than 50% of the time, higher than the standard. 2F reflects children who reside in out of home placements.

2F by year	Current Performance (Q2 2015)	National/State Standard	Percent below standard
Percent Visited	90%	95%	5.3%
Percent Visited in Residence	68.6%	>50%	Above standard

Data Source: CWS/CMS 2015 Quarter 2 Extract.

## 2F Monthly Visits In Residence (Out of Home)

This measure reports the percent of months with in-person contacts in which the contact occurred in the residence of the child or youth. The denominator is the number of children in care who had at least one in-person contact during the month and the numerator is the number of children where at least one of that month’s in-person contacts was in the placement facility.

2F by month	Current Performance (Q2 2015)	National/State Standard	Percent below standard
Percent Visited	89.7%	95%	5.3%
Percent Visited in Residence	73.9%	>50%	Above standard

Data Source: CWS/CMS 2015 Quarter 2 Extract.

We have consistently performed well under the previous standard of 90% of visits per month. In order to meet the revised national standard of 95%, we will focus one of our strategies on improving these outcomes.

## 2S Monthly Visits (In Home)

This report considers each month separately, but summarizes this data for a 12-month period. For each month in the 12-month period, three numbers are determined for children receiving in-home services:

- The number of children receiving in-home services who were required to have an in-person contact, i.e., who received in-home services for the full calendar month;
- The number and percent of children in Group 1 who had at least one in-person contact during the month; and
- The number and percent of children in Group 2 where at least one of that month’s in-person contacts was in the child’s residence.

Measure 2S tracks children placed in home as opposed to 2S which tracks children in out-of-home placement. There are no state and federal standards for this measure. We will set our own standard of 95% to remain in alignment with Measure 2F. We believe visiting children in in-home cases (Court and non-Court) are as important as visiting children in foster care.

2S by Year	Current Performance (Q2 2015)	CCC Standard	Percent below standard
Percent Visited	62.9%	95%	32.1%
Percent Visited in Residence	66.1%	>50%	Above standard

*Data Source: CWS/CMS 2015 Quarter 2 Extract.*

We are currently performing 32.1% below our standard of 95%. We will utilize a variety of action steps to improve this measure, one of which is to inform the staff regarding the importance of monthly visits with in-home cases. We will also strive to improve the quality of these visits with a variety of child engagement tools. We will discuss these two strategies in more depth in the following sections.

## 2S Monthly Visits in Residence (In Home)

This report considers each month separately, but summarizes this data for a 12-month period. For each month in the 12-month period, three numbers are determined for children receiving in-home services:

- The number of children receiving in-home services who were required to have an in-person contact, i.e., who received in-home services for the full calendar month;
- The number and percent of children in Group 1 who had at least one in-person contact during the month; and
- **The number and percent of children in Group 2 where at least one of that month’s in-person contacts was in the child’s residence.**

2S by Month	Current Performance (Q2 2015)	CCC Standard	Percent below standard
<b>Percent Visited</b>	65%	95%	30%
<b>Percent Visited in Residence</b>	71.5%	>50%	Above standard

*Data Source: CWS/CMS 2015 Quarter 2 Extract.*

Of the 480 children receiving in-home services in June 2015, 312 (65%) were visited and 223 (71.5%) were visited in the residence. However, when reviewing the methodology of 2S by month, some Family Reunification, Permanent Placement, and Supportive Transition cases are included in this report due to children who were not in a foster placement at any time during the month because they were either on extended trial home visits, had run away from placements, were in non-foster care placements, or had returned home and were awaiting court orders changing their service program types. If we exclude Family Reunification, Emergency Response, Permanent Placement and Supportive Transition, our percent of children visited increases. The table below shows that there were 249 children in Family Maintenance, of which 87.6% were visits monthly and 78% were visited in their residence. Although still not meeting the standard of 95%, it is an improvement. For the purposes of monitoring this measure, we will extrapolate and report only on Family Maintenance cases (both Court and non-Court).

Service Component Type	Children Receiving In-Home Services Entire Month	Children Visited	Percent Visited	Children Visited in Residence	Percent Visited in Residence
	n	n	%	n	%
Emergency Response	2	2	100	1	50
Family Maintenance	249	218	87.6	170	78
Family Reunification	58	51	87.9	30	58.8
Permanent Placement	171	41	24	22	53.7
Supportive Transition	0	0	0	0	0
<b>Total</b>	480	312	65	223	71.5

*Data Source: CWS/CMS 2015 Quarter 2 Extract.*

## 4B Least Restrictive (Entries First Placement: Relative)

This measure is derived from a longitudinal database of all entries to out of home care (in care 8 days or more) during the time period specified and computes the percentage of children who have a first placement of "Relative" (labeled "Kin" in UCB data tables). A child's first out of home placement with "Relatives" is drawn from the CWS/CMS variable plc\_fclc and includes the following codes: Relative / NREFM Home (1421) and Tribe Specified Home (1422). (Age 0 to 17 years.)

**Outcome: 4B Least Restrictive Placement (First Entry)**

Ethnic Group						Total	
	Kin	Foster	FFA	Group	Guardian	n	Percent by ethnic group
	n	n	n	n	n		
Black	34	54	58	4	11	161	41%
White	26	37	36	4	4	107	27%
Latino	29	27	41	3	2	102	26%
Asian/P.I.	1	4	5	.	.	10	3%
Nat Amer	1	1	1	1	.	4	1%
Missing	1	3	.	.	2	6	2%
<b>Total By Placement Type</b>	92 <b>24%</b>	126 32%	141 36%	12 3%	19 5%	390	

*Data Source: CWS/CMS 2015 Quarter 2 Extract.*

According to Quarter 2 2015 data (above), 24% of our first entries were with kin (relatives/NREFM). The highest ethnic group placed with kin was Black children at 34%. The highest percent of placements with kin by age group is 6 to 10 year olds. Our most frequently used placements at first entry are Foster homes (32%) and Foster Family Agencies (FFA) (36%). While we focus on improving reunification, we can review P1 by First Placement Type. An analysis of this data shows that 24.4% of children placed with kin at first entry exited to Reunification and 4.5% exited to guardianship. We will look to increase kin placements for all ethnicities; since Black children are disproportionality represented in the foster care system; we will monitor these kin placements by ethnicity.

## 4B Least Restrictive (Point in Time Placement: Relative)

This measure is a point in time count of all children who have an open placement episode of "Relative" in the CWS/CMS system (labeled "Kin" in UCB data tables). On the count day, children are assigned to the county in which they have an open case or referral. Children who have a substitute care provider assignment of 'relative non-guardian' are categorized as a "Relative" placement. (Age 0 to 20 years.)

### Outcome: 4B Least Restrictive Placements (Point in Time)

	Placement Type														Total
	Pre-Adopt	Kin	Foster	FFA	Court Specified Home	Group	Non-FC	Transitional Housing	Guardian - Dependent	Guardian - Other	Runaway	SILP	Other (?)	Missing	
	n	n	n	n	n	n	n	n	n	n	n	n	n	n	
<b>Total</b>	37 (3.3%)	277 (25%)	145 (13.1%)	251 (22.7%)	1 (0.1%)	87 (7.9%)	20 (1.8%)	40 (3.6%)	24 (2.2%)	152 (2.2%)	2 (0.2%)	64 (5.8%)	7 (0.6%)	0	1,107

Data Source: CWS/CMS 2015 Quarter 2 Extract.

In June 2015, 25% of children were placed in kin placements, compared to 24% of first entries to Kin placements. The percent of children in Foster Homes and FFA's is less for point in time than first placement entry: More children originally placed in Foster Homes or FFA's appear to have either found permanency or moved into a variety of other placements such as pre-adoption, Group care, THP, etc. Our strategies will focus on increasing first entries into kin placements, improving resources for kin families, and improving communication between caregivers and social workers as a strategy for stable placements and improved permanency outcomes.

### 5B (1&2) Timely Health/Dental Exams

This report provides the percentage of children meeting the schedule for Child Health and Disability Prevention (CHDP) and Division 31 medical and dental exams. Per California Code of Regulations: "Persons will be considered overdue for an assessment on the first day he or she enters a new age period without assessment having been performed in the previous age period."<sup>1</sup> Minors must have a medical and/or dental exam by the end of their age period.

	From:	4/1/2015
	To:	6/30/2015
Rate of timely health exams (%)		75.1%
In care 31+ days, age 0-20 (n)		885
Timely health exams (n)		665

Data Source: CWS/CMS 2015 Quarter 2 Extract.

	From:	4/1/2015
	To:	6/30/2015
Rate of timely dental exams (%)		44.2%
In care 31+ days, age 3-20 (n)		730
Timely dental exams (n)		323

Data Source: CWS/CMS 2015 Quarter 2 Extract.

According to Quarter 2 2015 data (above), we recorded 75.1% of timely health exams and 44.2% dental exams. There has been no change in the requirements for timely exams, however through our assessment; we believe that entry of these exams has diminished due to a lack of focus in HEP entry. Our strategy to improve this component will be to dedicate clerical staff to enter information in a timely fashion. We have a policy that directs staff regarding HEP entry. We will ensure that policy is reissued and monitored. We will also improve our collaboration with the County Public health department CHDP nurses in our offices, receiving center, and foster care clinics.

## 5F Authorized for Psychotropic Medication

This report provides the percentage of children in placement episodes with a court order or parental consent that authorizes the child to receive psychotropic medication.

<b>From:</b>	<b>4/1/2015</b>
<b>To:</b>	<b>6/30/2015</b>
<b>Authorized for psychotropic medications (%)</b>	<b>6.2%</b>
<b>In care, 0-17 (n)</b>	<b>974</b>
<b>Authorized for psychotropic medications (n)</b>	<b>60</b>

*Data Source: CWS/CMS 2015 Quarter 2 Extract.*

Ethnic Group	Total Num of Anti-Psychotic Med Fills	
Asian/PI	35	4%
Black	405	42%
Data Not Entered/	8	1%
Latino	199	21%
White	306	32%
	<b>953</b>	<b>100%</b>

*Data Source: CWS/CMS 2015 Quarter 2 Extract.*

Non-A-Psych Ethnic Group	Total No Anti-Psych Med Fills	
Asian/PI	50	3%
Black	582	36%
Data Not Entered/	8	0%
Latino	412	25%
Native American	6	0%
White	573	35%
<b>Total Non A Psych Fills</b>	<b>1631</b>	<b>100%</b>

*Data Source: CWS/CMS 2015 Quarter 2 Extract.*

According to CWS/CMS data for Quarter 2, 6.2% of our children have been authorized for psychotropic medication through court order or parental consent. Of those prescribed anti-psychotics, 42% of the children are Black, 32% are White, and 21% are Latino. Of those prescribed non-anti-psychotics, 36% are Black, 35% White and 25% are Latino. At this time, Contra Costa has entered into a data sharing agreement with the state and will spend time analyzing the dissemination of medication. Our strategies will include ensuring our JV220 Psychotropic medication tracking process is effective; deploy recommendations from the state's QIP workgroup on Use of Psychotropic Medications

### **Systemic Factor: Stakeholder Collaboration**

This is a Systemic Factor that Contra Costa chooses to address collaboration with Stakeholders; components of this factor include:

- Enhance and enrich collaboration with agency partners and community providers by re-establishing Systems of Care approach and team.
- Create a forum for conversations about disparity and disproportionality
- Addressing prevention and intervention community providers: Available services, gaps in services, accessing available services, and promoting use of available services.

We have chosen to focus on improving and broadening our work with our stakeholders and community. We currently have a variety of collaborative efforts (i.e. Katie A., CSEC, Juvenile Justice Commission, etc.) however they are generally topic specific (mental health, sexually exploited children, probation youth). Contra Costa has a long history of engagement including cross agency Systems of Care Policy Council, district Community Partner Meetings and a close collaboration with Mental Health for past federal grants and more recently, state initiatives such as Katie A. It's time to renew and invigorate collaboration by creating a forum that will focus on family service needs, promotion of the community's and agencies' available services, identifying service gaps, and addressing disparity and accessibility barriers in service delivery.

We will build upon the work of the Family & Children's Trust (FACT) Committee and our regional Community Partnership meetings. We will utilize a CQI framework to analyze data, gather feedback, disseminate findings and priorities, and develop mutual plans of action. We intend for this focus to assist us in improving our prioritization of OCAP funds, contracting efforts with the community, and building our relationships on behalf of Contra Costa children.

### **Systemic Factor: Improving the Health and Well-Being of Children**

This is a Systemic Factor that Contra Costa will address in order to improve the health and well-being of children; components of this factor will include:

- Ensure timely medical and dental exams
- Ensure quality data entry of medical and health exams and psychotropic medication use into CWS/CMS.
- Monitor use of psychotropic medication in children as well as access to mental health.
- Improve access to medical and mental health services through improved collaboration with public health.

### Systemic Factor: Workforce Wellness

Through the CSA we have identified that we are impacted by the challenge of retaining quality and trained staff. While our recruitment of social workers has significantly improved over the last several years, our ability to compete with surrounding counties has created an inexperienced workforce. We will look to support our staff through a number of strategies including:

- Supporting our workforce through the use of trauma informed strategies
- Creating an effective Supervisor framework which can address the realities of the need for supervisors to provide continuous training and oversight to new social workers.
- Deploy targeted staff retention strategies defined through our internal Staff Retention/County Culture Workgroup.

## PROBATION

Based on the needs identified in the 2015 County Self Assessment and an analysis of the current data from Quarter 2, 2015, Probation has selected the following measures to address in the System Improvement Plan.

### P1 Permanency in 12 months (Entering FC)

*Of all children who enter foster care in a 12-month period, what percent discharged to permanency within 12 months of entering foster care?*

Current Performance (Q2 2015)	National/State Standard	Percent below standard
<b>4.8%</b>	>40.5%	35.7%

For the time period of July 1, 2013 to June 30, 2014, of the 104 Probation youth entering foster care for the first time and remained in care for 8 days or longer, 5 youth (4.8%) reunified in less than 12 months. This is below the National / State standard of 40.5%. Reunification within 12 Months was a focus of the Probation Peer Review in April 2015.

Probation historically underperforms in this measure for a variety of reasons. There are circumstances and factors, which are beyond the control of the Probation Department, which can complicate permanency efforts for Probation youth. These factors include the age of the youth, the types of offending behaviors, and the use of foster care in lieu of the other rehabilitative options for some delinquent youth. Given the relatively low number of youth Probation is tasked with placing, the success or lack thereof of in attaining permanency for even 2 – 3 of these youth can significantly the outcome results. .

Probation youth are on average older than their CWS counterparts. Many probation youth in placement are 17 years or older by the time they complete the placement program. Many of these youth are availing themselves to Extended Foster Care, even those youth who have suitable and appropriate family homes to return to.

Whether a youth is technically eligible for out of home placement, versus whether out of home placement the appropriate course of action for a particular youth, is an area of ongoing struggle between the Courts, the Public Defender, the District Attorney and the Probation Department. Criminally sophisticated and violent offenders are far from ideal candidates for out of home placement, yet a good number of the youth ordered placed in Contra Costa County fall into that category. This population has a detrimental effect on our permanency rates.

Many Probation youth present with delinquency and behavioral issues which require a significant period and level of rehabilitative services to adequately address their needs. Rehabilitation of the placed youth is prioritized above permanency within 12 months. It is important to recognize that a significant portion of the youth ordered into out of home placement by the delinquency courts will not be in the community when their placement order is eventually set-aside. They will quite often be committed to secured institutional programs to address their delinquent mindset and behaviors which could not be overcome in the non-secured and less structured therapeutic settings found with foster care. Good portions of placement youth abscond from placement or otherwise violate the terms and conditions of their probation. Many placement youth engage in additional illegal conduct while in placement or while

in the community unsupervised after that have absconded placement. These activities result in the filing of additional delinquency petitions and subsequent dispositions by the courts.

Youth who cannot or will not be reunified with their family due to the nature of their offenses, are commonly seen in cases of the minor engaging in the sexual abuse of family members, experience great difficulty with establishing permanency at all, let alone within 12 months. In the case of Juvenile Sexual Offenders, the currently accepted treatment model for this population generally consists of 18 months to two years of intensive treatment followed by aftercare. These youth require lengthy residential treatment episodes. A number of these youth will also engage in conduct which results in removal from placement and a commitment to a secured institutional program. Also for those youth who successfully complete their treatment and placement, an increasing number are availing themselves to Extended Foster Care.

The placement type chosen for a youth is a factor impacting permanency within 12 months. Probation youth are often placed in congregate care, also known as group homes. These placements are more inclined to accept delinquent youth, but more importantly they generally offer a higher level of structure and supervision for the youth, and are more likely to have the services in place that are needed to aid in the rehabilitation of the youth. Most group homes are currently designed to provide services over the course of many months, generally 12 – 16 months. Less restrictive settings than group homes, are considered by the Placement unit for placement of a youth on a case by case basis, and are in most cases ruled out as first entry options for delinquent youth. Group homes are consistent with the type of placement and services deemed necessary by Probation and the Courts to best serve the needs of the youth.

The recent change to California Foster Care that would ideally result in improved performance for Probation in this measure is the implementation of Assembly Bill 403. This bill provides for the reclassification of treatment facilities and the transition from the use of group homes for children in foster care to the use of short-term residential treatment centers. Once implementation of the requirements of this Bill are in place, the Courts, the District Attorney, and the Probation Department will have to reconsider and likely reduce the use of foster care for the purposes of providing rehabilitative services to highly delinquent youth. It is anticipated that other dispositional options and not out of home placement will be imposed in a good number of cases. Removing the highly delinquent youth, those least likely to be successfully rehabilitated through the use of short-term residential treatment centers, from the equation will improve permanency outcomes. Those youth who are not as criminally inclined may benefit greatly from placement in a short-term residential treatment center, and they may be more likely to attain permanency within 12 months.

## 2F Monthly Visits (Out of Home)

This measure reports the percent of months requiring an in-person contact in which that contact occurred. For each month in the 12-month period, the denominator is the number of children in care who were required to have an in-person contact, i.e., who were in an open placement episode for the full calendar month and the numerator is the number of children in the denominator who had at least one in-person contact during the month.

2F by month	Current Performance (Q2 2015)	National/State Standard	Percent below standard
<b>Percent Visited</b>	28.2%	95%	66.8%
<b>Percent Visited in Residence</b>	90.7%	>50%	Above Standard

For the time period of July 1, 2014 to June 30, 2015, of the total out of home monthly visits Probation was expected to complete (1,338 per CWS/CMS data extracted in early October 2015) Probation's current performance at 28.2% is far below the National / State standard of 95%.

It is important to note that attempts to contact youth and completed contacts with youth are not given the same weight in the F2 measure. At any given time, up to 10% of placement youth may not be successfully contacted in a given month because the youth has absconded from placement and their whereabouts is unknown.

Two significant factors impact our statistical performance in this measure, and both involve our historical difficulty with using CWS/CMS. The first factor is the failure to properly input information into the system in a timely fashion when a youth's Placement Episode ends. The second factor is the failure to enter monthly contacts on a timely and regular basis.

The Probation Department implemented the use of CWS/CMS in 2011. It is reasonable to acknowledge that there was some resistance by probation staff to learning and utilizing a case management system that is in addition to the processes and systems the probation department already had in place for monitoring probation youth. Since 2012, several issues contributed to the weak performance with data entry into CWS/CMS. The Placement Unit has experienced ongoing staffing issues. It has proven difficult to keep the unit fully staffed with DPOs. Staff turnover within the Placement Unit and the need to train those new staff on the functions and responsibilities of the Placement Unit, as well as receive training in CWS/CMS, is laborious and time consuming. When the Unit is short staffed or in lack of experienced and fully trained staff, the existing DPOs had to conduct the additional monthly visits, as well as prepare the mandated placement review reports and other court reports, which leave less time for data entry into CWS/CMS. The Unit also twice experienced a change in

the Unit Supervisor and Placement Unit Manager. There was also a change of staff in the clerical position assigned to the Placement Unit. Lack of internal oversight by the supervisor and manager, largely due to the other demands upon their time and energies, has allowed the problems with CWS/CMS to multiply.

Probation visits the youth in placement every month, which is documented on monthly contact logs with the Placement Supervisor and the Field Notes the Deputy Probation Officers (DPOs) maintain for each of their assigned youth. Our need for improved performance is not with conducting the monthly visits; it is with consistently documenting the visits in CWS/CMS. Of the youth whose visits were documented in CWS/CMS, Probation's performance exceeds the national standard for visiting children in the home more than 50% of the time. Nonetheless, another key finding from the recent CSA was that an increase in the amount of information and data entered into CWS/CMS is crucial. Probation's low performance in several measures – most notably Monthly Caseworker Contacts – is solely a result of a lack of data entry.

## PRIORITIZATION OF DIRECT SERVICE NEEDS

In 1985, Contra Costa County established the Family and Children’s Trust (FACT) Committee. The purpose of the FACT Committee is to establish priorities and make funding recommendations to the Board of Supervisors on the allocation of specific funds for the prevention and amelioration of child abuse and neglect, and the promotion of positive family functioning. The funds include CAPIT, Birth Certificate funds, County Children’s Trust funds, and CBCAP funds. The FACT Committee is comprised of representatives from Mental Health, the Local Planning Council, the First 5 Commission, Child Abuse Prevention Council and early childhood education. At-Large members represent service clubs, faith based organizations, civic groups, ethnic and cultural clubs/groups, Chambers of Commerce and Parent/Teacher Associations. And finally one representative from each of the five Supervisorial Districts is a member.

The FACT Committee’s established procedures include establishing a minimum of two specific priority areas for allocating available FACT funds based on the County Self-Assessment, public hearing or other needs assessment mechanism. These funds are for child abuse and neglect prevention and early intervention services which meets the needs of children at high-risk, especially those 0-14 years old, operated by private non-profit organizations. The FACT Committee conducts a needs assessment process every two years via survey (web-based and in-person) to the community in order to establish a minimum of two priority areas. Subsequently, CFS implements a competitive RFP/RFI bid process for the allocation of funds.

The FACT Committee conducted an online provider Needs Assessment survey in 2014-2015. The Provider Survey was initiated on December 8, 2014 and the results were compiled in a report on January 20, 2015. A Parent/Caretaker Needs assessment survey was initiated on December 8, 2014 and was offered online in English and in print form in English and Spanish. A report was compiled on March 1, 2015 regarding these results. The need for after school programs ranked number one as the most important service needed in the Parent/Caretaker Survey. Parent education, support for children with special needs and their families, and family support and referral services were found to be nearly equal in importance. Cost of services was most often marked as the greatest barrier to obtaining services. Long waitlists, lack of transportation and language and Cultural Humility were named the highest barriers. The Provider Needs Assessment was similar in responses regarding the cost as the main barrier to after school programs, in addition to the need for drug and alcohol services for families support for children with special needs, and services for families who are homeless.

PSSF is monitored by the CFS Director and the management team. The priorities are determined using information gathered from a variety of sources such as from our Community Partnership meetings and the FACT surveys.

Currently Crossroads High School is funded by CAPIT and CBCAP funds. The Children’s Recovery and Family Education Project, ARC (Attachment, Self-Regulation and Competency framework), and Strengthening Vulnerable Families Supportive Housing are being funded by CAPIT funds. These programs meet the needs of families facing substance abuse, homelessness, pregnant and parenting teen mothers, and unique needs of Spanish Speaking families.

Promoting Safe and Stable Families (PSSF) is a federal program under Title IV-B, Subpart 2 of the Social Security Act for states to operate coordinated child and family services including community-based family support services, family preservation services, time-limited family reunification services and adoption promotion and support services to prevent child maltreatment among at-risk families, assure safety and stability of maltreated children, and support adoptive families. The four PSSF Program components: (1) family preservation, (2) community-based family support, (3) time-limited family reunification and (4) adoption promotion and support, are intended to provide coordinated services for children and families across the continuum from prevention to treatment through aftercare.

State Family Preservation (SFP) is a state funded program aimed at reducing the necessity of out-of-home placement of children who have experienced child abuse or neglect within the family and, when appropriate, at expediting the reunification of children with their families when the children are in out-of-home placements.

PSSF and State Family Preservation funds meet a myriad of other direct service needs. These include providing supportive housing, parenting classes, integrated mental health services, post-adoption supportive services and educational liaison support, community based supervised visitation, and case management services to monolingual Spanish Speaking families as well as Afterschool programming.

The parenting classes supported through PSSF and State Family Preservation include evidence-based Triple P Positive Parenting Levels 4 and 5, Triple P support groups, Supporting Father’s Involvement (SFI) parenting classes and Nurturing Parents parenting classes in English and Spanish.

These parenting classes are listed on the California Evidence Based Clearinghouse (CEBC). The overall Triple P program is a multi-tiered system of 5 levels of education and support for parents and caregivers of children and adolescents. Although Triple P can be used in parts (e.g., using only one level of the five or

a group version versus standard), this entry on the CEBC reviews System Triple P as a whole (i.e., using all 5 levels) in its standard version and only reviewed research evidence that evaluated the whole system. The CEBC also evaluated Level 4 Triple P as a separate program and it is rated "1 - Well-Supported Research Evidence" on the Scientific Rating Scale in the areas of Parent Training and Disruptive Behavior Treatment (Child & Adolescent).

As a prevention program, Triple P helps parents learn strategies that promote social competence and self-regulation in children. Parents become better equipped to handle the stress of everyday child rearing and children become better able to respond positively to their individual developmental challenges. As an early intervention, Triple P can assist families in greater distress by working with parents of children who are experiencing moderate to severe behavior problems. Throughout the program, parents are encouraged to develop a parenting plan that makes use of a variety of Triple P strategies and tools. Triple P practitioners are trained to work with parents' strengths and to provide a supportive, non-judgmental environment where a parent can continually improve their parenting skills.

Supporting Fatherhood Involvement (SFI) is a preventive intervention designed to enhance fathers' positive involvement with their children. The curriculum is based on an empirically-validated family risk model. This model predicts that children's development is predicted by risks and buffers in five interconnected domains:

- Family members' characteristics
- 3-generational expectations and relationship patterns
- Quality of parent-child relationship
- Quality of parents' relationship
- Balance of stressors versus social support for the family.

Nurturing Parenting curriculum is designed to build nurturing parenting skills that break the intergenerational cycle of child maltreatment and dysfunction. The program provides support and resources for parents. STAND! For Families free of Violence and the Child Abuse Prevention Council offer these evidence-based parenting classes across Contra Costa County in English and in Spanish. The Nurturing Parenting Center-Based program incorporates the Strengthening Families 5 Protective Factors Framework:

- Parental resilience
- Social connections
- Concrete support in times of need

- Knowledge of Healthy Parenting and Child Development
- Social and Emotional Competence of Children

A recent survey completed by the FACT committee collected information on at-risk populations, target areas, service needs, and gaps in services. Data collected in Contra Costa's Self Assessment assisted further by identifying populations at risk and service needs and gaps to assure current strategies are meeting needs. Ongoing efforts to collect and evaluate information support continual review of needs and supports the committee work to formulate goals and objectives and develop opportunities for bringing more effective and accessible services for children and families. We will utilize a quality assurance process that measures quality of these services.

## STRATEGY SUMMARY

### CHILD WELFARE

**GOAL: STRENGTHEN QUALITY CASE PLANNING AND FAMILY TEAMING TO IMPROVE TIMELY FAMILY REUNIFICATION.**

Strategy 1: Strengthen quality case planning through the utilization of the SDM Family Needs and Strengths Assessment (FSNA tool) to inform and collaboratively identify critical family needs for individualized case plans.

Strategy 2: Improve family teaming through increased use of Team Decision Making meetings (Family Team meetings) that use strength based collaborative strategies such as the Safety Organized Practice framework.

Strategy 3: Improve family engagement by expanding and incorporating the strategies of the Safety Organized Practice framework into the casework of Social Workers.

**GOAL: ASSURE CHILD SAFETY AND INFORM PERMANENCY PLANNING THROUGH IMPROVEMENT IN FREQUENCY, TIMELINESS, AND QUALITY OF SOCIAL WORKER VISITS.**

Strategy 4: Improve timeliness and quality of child and family visits through the utilization of engagement strategies, by monitoring quality of visits and by tracking compliance of visits.

Strategy 5: Improve child safety and increase reunification of families through consistent and quality implementation of Structured Decision Making practice.

**GOAL: INCREASE TIMELY AND QUALITY COMPLETED FIRST CONTACTS WITH CHILDREN IN 10 DAY REFERRALS TO ASSURE CHILD SAFETY.**

Strategy 6: Develop and implement policy and practice that ensures that children and families are seen within 10 days of the receipt of child abuse referrals.

Strategy 7: Utilize the SDM Safety Assessments to ensure the accurate assessment of children's immediate safety and develop quality and timely Safety Plans that accurately address threats to a child's safety to remain in the family home.

**GOAL: IMPROVE PERMANENCY OUTCOMES BY INCREASING THE RATE AND QUALITY OF RELATIVE/NREFM PLACEMENTS.**

Strategy 8: Increase the rate of children placed with relatives and NREFM's by improving the efficiency of the Relative Approval Emergency Placement Process.

Strategy 9: Expand Relative Notification and Family Finding efforts in order to increase the pool of available quality approved relatives.

Strategy 10: Improve partnerships and communication with caregivers through the efforts of the Caregiver Steering Committee.

Strategy 11: Develop and implement a county-wide Specialized Care Increment (SCI) program

(called Difficulty of Care in Contra Costa) to enhance support to caregivers for children with special care needs.

**GOAL: IMPROVE THE HEALTH AND MENTAL HEALTH WELL-BEING OF CHILDREN SERVED BY CHILDREN & FAMILY SERVICES AND IMPROVE ACCESS, TIMELINESS AND QUALITY OF THESE SERVICES.**

Strategy 12: Improve children’s health and mental health well being by evaluating and monitoring to ensure consistent tracking of Mental Health assessments, referrals and services and utilization of psychotropic medications.

Strategy 13: Improve access and timeliness to medical services by improving collaboration with county public health department CHDP nurses in CWS offices, Receiving Centers and Foster Care clinics.

**GOAL: STRENGTHEN STAKEHOLDER COLLABORATION IN ORDER TO ADDRESS ISSUES OF DISPARITY AND CULTURALLY SPECIFIC COMMUNITY SERVICES; IDENTIFY AND PRIORITIZE DIRECT SERVICE RESOURCES AND DELIVERY; AND IMPROVE PARTNERSHIPS ON BEHALF OF CHILDREN IN CONTRA COSTA COUNTY.**

Strategy 14: Partner with county agencies and Community Based Organizations to develop a Stakeholder Forum to address issues facing children in Contra Costa including racial disparity and gaps in available services.

Strategy 15: Ensure access to community resources and services through more effective systems for locating service providers offering appropriate services.

**GOAL: DEVELOP A TRAUMA INFORMED WORKPLACE THAT ENSURES A HEALTHY AND COMPETENT WORKFORCE.**

Strategy 16: Employ trauma informed strategies to create a healthier workplace and address the secondary trauma that staff faces in their daily work.

Strategy 17: Develop, prioritize, and implement staff retention strategies such as those created by the CFS County Culture/Staff Retention Workgroup.

Strategy 18: Develop a more effective supervision model that addresses the needs of newly hired social workers in order to support their learning and ensure competency in their child welfare practice.

**PROBATION**

STRATEGY 1: Change the culture of the Placement Unit to increase the focus on reunification or other permanency outcome within 12 months.

STRATEGY 2: Explore ways to educate parents and legal guardians to increase their understanding and involvement in the process of rehabilitation and reunification.

STRATEGY 3: Increase documentation of monthly contacts with youth in CWS/CMS.

# STRATEGY RATIONALE

## CHILD WELFARE

**GOAL: STRENGTHEN QUALITY CASE PLANNING AND FAMILY TEAMING TO IMPROVE TIMELY FAMILY REUNIFICATION.**

### PURPOSE AND RATIONALE:

Our goal to address Family Reunification is to improve case planning and teaming efforts with families. Through inclusive case plan development, the linkage between family needs and service planning improves. Families involved with Child Welfare face multiple challenges, some of which are related to the reason for Child Welfare involvement (i.e. impact of substance abuse on parenting) and other reasons (i.e. poverty) that complicate a family's functioning. It is important to drill down to the specific child safety issues when working with families to reunify with their children. Focusing on the harm and danger to the child will focus the social worker and the family to identify the behavioral changes that are needed to create future child safety. The Peer Review, which focused on Reunification within 12 months, identified some challenges related to engaging families. One finding stated: *Social workers are not fully engaging with parents, especially if parents are not easy to engage or ambivalent; strategies to motivate hard-to-engage parents should be explored.*

### Family Teaming

The field of Child Welfare has long encouraged family teaming. One finding from the Peer Review was "...larger family networks, including connections and relatives are not always engaged as part of the safety network." Some recommendations from Peer Reviewers included:

- Work toward engagement of all parents;
- Improve the social worker's relationship with parent;
- Follow good social work principles by monitoring parent behavior and the impact that has on expectations.
- Engage all family, relatives, and family connections in team meetings, safety planning and case plans.

A variety of family team meetings have emerged over the years – Family Group Decision Making (FGDM), Team Decision Making (TDM), Wraparound Meetings, etc. Contra Costa County has primarily utilized TDM's since 2003 to team with families. We also utilize Wraparound meetings when Mental

Health is the primary issue. More recently Child and Family Team meetings have been created to meet the requirements of the Katie A. Settlement.

TDM's have been utilized most frequently on the front end of our system, during the Emergency Response phase. We have dedicated our resources to the target geographical areas in which the most removals have occurred. These regions have expanded with the changing demographics. We also used TDM's for Placement Change meetings with youth, and created a Youth Transition Meeting (YTM) based off the TDM model. The YTM is used with youth 17 and over and to ensure the 90 day transitional plans are completed.

With the implementation of Safety Organized Practice (SOP) in 2013, we have also begun discussions around utilizing SOP Mapping meetings with families. The SOP Mapping meeting was created to ensure that safety and harm are identified, complicating factors (those factors not specifically related to safety and danger) are sorted out and specific Safety plans were created. The SOP Mapping meeting is a meeting where the issues of harm, safety, complicating factors and protective capacities are outlined with the team, charted for the group, and then sorted to develop Safety and Harm statements. The group then can create clear and specific safety plans to address the safety and harm issues. Because the plans are specific, in essence using the SMART technique of case planning, it improves the worker's ability to measure specific behavioral change in the parent. As TDM is our primary teaming modality, we have begun infusing SOP concepts into our meetings. For example, instead of sorting "Strengths and Concerns," the TDM Facilitator facilitates "What's Working Well", and "Worries" conversations.

### **Case Planning**

Contra Costa County is shifting from the Comprehensive Assessment Tool (CAT) to Structured Decision Making (SDM). We are in the process of implementing SDM and will begin utilizing the tools in December 2015, prior to the implementation of this SIP. There are several components of the SDM system that will support this strategy and in particular case planning. The social workers will complete the Family Strengths and Needs Assessment (FSNA) prior to every Case Plan and Case Plan update. The FSNA assessment analyses multiple domains including culture, caregiver functioning, and child/youth functioning. Caregiver domains include Resource Management/Basic Needs, Physical Health, Parenting Practices, Social Support System, Household and Family Relationships, Domestic Violence, Substance Abuse, Mental Health, Trauma, and Cognitive/Developmental Abilities. These domains are then prioritized by strengths and needs. The case plan can then be created with the prioritized needs in the forefront. The intention of this strategy is for the social worker to utilize this FSNA and its priorities to

work with the family in person to review the needs and develop plans of action (i.e. services) to meet these needs.

Families must have some internal need for change. Although social workers cannot “make” a parent change, the engagement process, coaching, and partnership can improve a parent’s internal shift toward change. For the past several years, we have brought SOP and the techniques of motivational interviewing and solution focused questioning to our work. Social workers have been trained to utilize their skills to engage families in focusing on behavioral change. We believe that the confluence of SDM and SOP will strengthen our ability to engage families and thus improve our case planning with families.

We will implement the following strategies:

- Strategy 1: Strengthen quality case planning through the utilization of the SDM Family Needs and Strengths Assessment (FSNA tool) to inform and collaboratively identify critical family needs for individualized case plans.
- Strategy 2: Improve family teaming through increased use of Team Decision Making meetings (Family Team meetings) that use strength based collaborative strategies such as the Safety Organized Practice framework.
- Strategy 3: Improve family engagement by expanding and incorporating the strategies of the Safety Organized Practice framework into the casework of Social Workers.

Implementation of these strategies requires a systemic change to how we currently develop and create case plans. Although it has been an intention to ensure individualized case plans, actually achieving this goal has been elusive. Through implementation of the above steps and monitoring efforts, we believe we can make system change.

#### **ACTION STEPS/EVALUATION:**

We intend to implement a variety of strategies and action steps in order to realize this goal:

##### Strategy 1

We will ensure that social workers are trained to the use of FSNA and coached to prioritize strengths and needs as they develop case plans with families. We strive to eliminate the “cookie cutter” approach to identify needs and services for families. To support this action step, supervisors will monitor that case plans are tailored to meet the needs of the families as well as ensuring there was a collaborative approach to developing the plans. Initially staff will be trained to FSNA tool completion in November 2015. Supervisors are also trained and being provided coaching and advanced training between

November 2015 and April 2016. We will direct our SDM coaches to focus on this strategy with supervisors so they can do the parallel process in conference/supervision time. We will continuously identify further training needs as they arise. We will utilize the Continuous Quality Improvement (CQI) Collaborative to discuss this strategy and make practice adjustments as needed. This action step will be monitored in a variety of ways. First, we will use WebSDM and SafeMeasures to track the number of FSNA tools that completed. Our goal is that 100% of FSNA tools are completed. Second, we will utilize case readings by supervisor and/or the Quality Assurance division to compare the FSNA to the case plans. As we are implementing SDM, we will utilize SDM's recommended quality implementation target goals as part of our monitoring system. We will monitor timely reunification for the families in which FSNA's and collaborative case plans were completed. Our goal is to ensure that individualized case plan goals and services are reflected in 95% of the cases that have utilized a FSNA tool.

### Strategy 2

To improve the case planning process, another step is increasing in-person meetings or series of meetings to develop the case plans. Through a small work group, we will identify the steps to ensuring positive parental collaboration and set forth a set of best practice recommendations. For example, we may identify that the use of Team Decision Making (TDM) meetings are ideal for developing case plans with families. We will also infuse the SOP framework into the TDM. This will ensure better alignment with our full implementation of SOP.

### Strategy 3

We will complete our implementation of SOP, ensuring that all staff receives the SOP Overview, SOP training modules, and coaching sessions.

For tracking and evaluation purposes, we will monitor this strategy in our CQI Collaborative Meeting. We will also develop ways to elicit feedback from our parents about the teaming process and make adjustments as needed. Quantitative measures include ensuring 100% of Reunification Re-assessment tools are completed on a timely basis. We will monitor these cases to track how reunification progresses and whether there any future safety issues that arose. This may be tracked via the safety and reentry measures. Qualitatively, we will monitor the trends that are revealed in our ongoing state Case Reviews. For the implementation of SOP, we will create a baseline survey to establish our level of implementation and then conduct a similar survey 1-2 years post full implementation.

Our partners for this strategy include our Parent Partners. Parent Partners are available for all families who are in the Reunification process. This is a voluntary service for families and has show positive results

for the past 10 years of implementation. Parent Partners routinely coach and mentor their families to work productively and proactively with Child Welfare and their social worker. We will continue to leverage these relationships in this strategy.

**GOAL: ASSURE CHILD SAFETY AND INFORM PERMANENCY PLANNING THROUGH IMPROVEMENT IN FREQUENCY, TIMELINESS, AND QUALITY OF SOCIAL WORKER VISITS.**

**PURPOSE AND RATIONALE:**

Safety of children is first and foremost in our work. The key to ensuring child safety is visiting children in their homes and foster placements. It goes without saying that laying eyes on a child, spending time inquiring about his or her well-being, and ensuring his or her needs are being met will ensure child safety. Social Workers value child visits. They work diligently to ensure they conduct face-to-face visits with the children on their caseloads.

Our strategies will address improved federal compliance and improved quality of visits. First, as outlined in the discussion of Measure 2F, federal requirements mandate we visit children monthly 95% of the time. This measure is calculated both monthly and on a rolling annual basis. As noted in our Outcome section, in this current quarter (Q2 2015) we are performing at 89.7%, just slightly below the previous national standard of 90%. We will need to improve this compliance by 5.3% to meet the new standard.

Second, we want to ensure our face-to-face interactions with children of sufficient quality to ensure child safety in their homes and out-of-home placements. For placement cases, we are visiting children more than 50% of the time in their residence (73.9% Q2 2015). This is a good start to ensuring our children are safe. While increasing our compliance to 95%, we also want to beef up the interactions social workers have with their children. Some of the ways that we envision improved child engagement is building on the increased use of SOP techniques such as using solution focused interviewing questions, utilizing the “Three question” (worries, what’s working, next steps), and using the Three Houses technique when appropriate. Supervisors expressed in the CSA focus group that “Safety Organized Practice is impacting practice; three quarters of the workers are in training and staff are bringing back the technique of the 3 Houses from training, saying the benefits outweigh the time needed to complete the process with families”.

As we have addressed in the CSA, Contra Costa County has a novice workforce. This workforce is primarily comprised of master’s level staff, both MSW and other degrees such as MFT. Despite high

levels of education, child welfare is a job that you learn as you go, thus utilizing solid training in CORE and Child Welfare Advances Skills and developing clear policies will help new social workers and supervisors make quality decisions. These strategies should also improve the practice in our workforce, which will in turn, improve our compliance and quality.

We will implement the following strategies:

- Strategy 4: Improve timeliness and quality of child and family visits through the utilization of engagement strategies, by monitoring quality of visits and by tracking compliance of visits.
- Strategy 5: Improve child safety and increase reunification of families through consistent and quality implementation of Structured Decision Making practice.

#### **ACTION STEPS/EVALUATION**

##### Strategy 4

Improve timeliness and quality of child and family visits through the utilization of engagement strategies, by monitoring quality of visits and by tracking compliance of visits. In order to implement this strategy, we will issue a Department Memorandum regarding the compliance measure for 2F, formerly 2C. Then we will monitor our compliance through SafeMeasures on a monthly basis. Currently Division Managers review their compliance rates each month and bring them to the management team meeting (CSAT) to discuss. CSAT then will discuss this measure and compliance and make policy recommendations as needed to ensure compliance.

To ensure quality visits, we will develop policy regarding utilizing child engagement strategies during home visits. We will build upon current tools and policies we have in place. For example, we have recommended interview questions for children that are given to each social worker. We will develop a workgroup to develop these recommendations and policy. Then we will develop a training plan which will include advanced training on Solution focused questions and SOP child engagement skills. We will engage our SOP Coaches to provide extra support for social workers to implement this strategy.

To monitor quality visits, we will utilize our policy of Quality Contacts which dictates supervisors are to review 6 months worth of contacts at the time of every court Status Review hearing. We will add in the review of the child visits to “read” for “quality” which will include the use of the above techniques. The Quality Assurance Division will develop a set of measures to help with this case reading process. We will utilize the CQI Collaborative meeting to develop a schedule and mechanism for reporting on these case reading results.

We have not utilized Case Reading as an evaluation method in Contra Costa County. Thus this will impact our work at a systemic level. The CQI Collaborative team will be used to support this systemic change as well as utilizing technical assistance from the staff at CRC, who have develop Case Reading approaches.

#### Strategy 5

Strategy 5 will Improve child safety and increase reunification of families through consistent and quality implementation of Structured Decision Making practice. A workgroup will be convened to oversee implementation. Supervisors and Social Workers will be trained. Usage of tools will be monitored using Safe Measures and benchmarks will be tracked as recommended by the Children’s Research Center.

**GOAL: INCREASE TIMELY AND QUALITY COMPLETED FIRST CONTACTS WITH CHILDREN IN 10 DAY REFERRALS TO ASSURE CHILD SAFETY.**

#### **PURPOSE AND RATIONALE:**

Child Welfare is mandated to ensure safety of children. There are two response times required in child abuse investigation referrals, immediate response (respond within 24 hours) and response within 10 days. The compliance standard in California is 90% of in person responses must be within 10 days. Division 31 regulations allows for attempted face to face contacts to count as being in compliance with this standard. Measure 2D eliminates the “attempted” contact in its methodology and only includes completed contacts. This reveals our true rate of face to face investigations.

Over the past several years, we have made strides to ensure the Emergency Response staffing has been a priority. We monitor our referral caseloads on a monthly basis. With each hiring round, the management team reviews the referral statistics and ensures the staffing resources are allocated appropriately. For example, our East County Operational division, which covers the cities of Pittsburgh, Antioch, Brentwood, etc. consistently handles 45% of the total referrals countywide. As a result, we have allocated a proportionate amount of staff to East County. Of the 34 Emergency Response Staff, 16 are assigned to East County (45%).

Our strategies will blend action steps that address improving timeliness as well as improving quality of those contacts.

- Strategy 6: Develop and implement policy and practice that ensures that children and families are seen within 10 days of the receipt of child abuse referrals.

- Strategy 7: Utilize the SDM Safety Assessments to ensure the accurate assessment of children’s immediate safety and develop quality and timely Safety Plans that accurately address threats to a child’s safety to remain in the family home.

**ACTION STEPS/EVALUATION:**

Strategy 6

The prior standard of including attempts as a measure of compliance has been county practice for many years. These strategies will be implemented in order to make changes to our policy and practice. The current policy will be reviewed and modified to ensure it facilitates the new standard of timeliness. Then we will develop an action plan for providing training and support to social workers and supervisors in order to implement this practice. The implementation of this strategy is a systemic change for our county. As mentioned earlier, the standard has been to consider attempted contacts as being in compliance. We will need to partner with our policy staff, staff development, supervisors and others to ensure improvement in this measure.

Strategy 7

To improve quality of contacts, activities to support this strategy include the continued use of the Safety Organized Practice (SOP) approach and monitoring the use of the SDM Safety and Risk Assessment tools and the development of Safety Plans with families. As safety is a priority, the SDM Safety assessment tool and use of a Safety Plan with families will improve our staff’s quality of interaction with families. Additionally utilizing the Risk Assessment tool, the social worker can be guided in his or her decision to open a case or not with the family.

We will monitor this measure by tracking our Safe Measures and WebSDM reports and review them on a monthly basis. This will entail a multilevel tracking responsibility that will include tracking by supervisors, managers, the management team, and Quality Assurance Division. Adjustments will be made as needed to ensure improvement in this measure. This may include increased staffing, training, or redistribution of resources.

**GOAL: IMPROVE PERMANENCY OUTCOMES BY INCREASING THE RATE AND QUALITY OF RELATIVE/NREFM PLACEMENTS.**

**PURPOSE AND RATIONALE:**

Stakeholder feedback from the CSA revealed a need for more relative caregiver resources. Contra Costa has a lower percent of children in relative placements than foster home placements, FFA, and group homes. We currently have 277 children (25%) in relative Placements. In the current quarter (Q2

2015) our first entry into relatives is 24%. The purpose of this strategy is to focus on increasing relative placement options, improving the support to relatives, and overcoming any barriers in the way of arranging relative placements.

Being cognizant that Continuum of Care Reform (CCR) and Resource Family Approval (RFA) will impact the landscape of placements, we want to focus our attention on ensuring that relative homes are recruited, supported and utilized for the care of our children. AB403 defines Continuum of Care as the spectrum of care settings for youth in foster care, from the least restrictive and least service-intensive to the most restrictive and most service-intensive. CCR's goal is to reduce the current way Child Welfare uses congregate care. CCR will reduce placements in congregate care and will require more Resource families. Resource families include non-related foster families, relatives and NREFM families. Under the umbrella of CCR, the Resource Family Approval (RFA) process is being implemented in January 2017. The purpose of the Resource Family Approval Program is to implement a unified, family-friendly, and child-centered resource family approval process to replace the existing multiple processes for licensing foster family homes and approving relatives and non-relative extended family members as foster care providers, and approving families for legal guardianship or adoption. In the near future, relatives will be approved using the RFA as opposed to the Relative Approval process. RFA strives to do the following:

- Streamline process: It eliminates the duplication of existing processes.
- Unifies approval standards for all caregivers regardless of the child's case plan.
- Includes a comprehensive psychosocial assessment, home environment check and training for all families, including relatives.
- Prepares families to better meet the needs of vulnerable children in the foster care system.
- Allows seamless transition to permanency.

In 2014, the University of California, Berkeley conducted a descriptive study called "Outcomes and Experiences of children in Family-Based Care Settings". This study evaluated needs of caregivers in Alameda County and Contra Costa County. Findings discussed the issues facing Contra Costa County caregivers, both kin and non-kin, and what they need to help their work with children. The top three issues were: (1) additional financial resources and/or vouchers; (2) responsive social workers; and (3) services for the child. This study found that relatives are strained financially, frustrated with the lack of communication and support from social workers, and needed easier access to services.

Strategies to improve permanency outcomes by increasing the rate and quality of Relative/NREFM placements include:

- Strategy 8: Increase the rate of children placed with relatives and NREFM's by improving the efficiency of the Relative Approval Emergency Placement Process.

- Strategy 9: Expand Relative Notification and Family Finding efforts in order to increase the pool of available quality approved relatives.
- Strategy 10: Improve partnerships and communication with caregivers through the efforts of the Caregiver Steering Committee.
- Strategy 11: Develop and implement a county-wide Specialized Care Increment (SCI) program (called Difficulty of Care in Contra Costa) to enhance support to caregivers for children with special care needs.

To implement this strategy we will partner with our Caregivers, kin and non-kin, Relative Approval staff, Caregiver Liaison, Courts, and policy staff. As barriers are identified, we will identify other partners to assist with improvement in this strategy.

#### **ACTION STEPS/EVALUATION:**

Thus these strategies will focus on improving our work with relatives. We plan to implement a number of action steps that include:

##### Strategy 8

To improve the Emergency placement procedures to increase first entries into relative placements we will develop and implement strategies, practice, and protocol for emergency placements with relatives before Detention hearings. We will develop a workgroup to review the existing Emergency Placement protocols in order to identify gaps and barriers to relative placements. The workgroup will develop a set of recommendations and action plan for improving this process.

##### Strategy 9

To improve Family Finding efforts in order to widen the net to find relative placement options, we will build upon our current Family Finding and Relative Notification policies and procedures and improve how we communicate and document found family.

##### Strategy 10

In May 2015, the CFS Director convened a Caregiver Steering Committee which is comprised of staff, relative caregivers and licensed foster parents. The purpose of this is to focus on improving the relationship between CFS and the care giving community. We will continue this committee's work to isolate why our social workers struggle with being responsive to caregivers. We will commence a conversation about how to improve communication and develop policy and protocols to support our focus. This will support our efforts to improve the communication and responsiveness between social workers and caregivers.

### Strategy 11

Addressing the allocation of supportive resources such as ensuring all relatives are assessed for Difficulty of Care rates (DOC)<sup>1</sup> enhances the ability of caregivers to meet the special needs of children in their care. Since relatives are not as savvy to the Child Welfare system, they often are not aware of the supports available to them, including financial supports. We will focus our attention on ensuring relatives have the same information and access to resources as any other non-kin caregiver. We will look to create supports such as improving how we communicate the supportive services we have.

To evaluate all of the above strategies, we will monitor by tracking trends of first entries and least restrictive placements through the UC Berkeley website, SafeMeasures and our county specific Relative Approval data base. We will also monitor qualitative trends through our state Case Review process. We will look for strengths in engaging relatives, how the process is working or not, and identify practice improvements over the life of the SIP.

**GOAL: IMPROVE THE HEALTH AND MENTAL WELL BEING OF CHILDREN SERVED BY CHILDREN & FAMILY SERVICES AND IMPROVE ACCESS, TIMELINESS AND QUALITY OF THESE SERVICES.**

#### **PURPOSE AND RATIONALE:**

Foster children typically have higher rates of serious health, emotional, behavioral, and developmental problems as compared with other children with the same socio-economic background. These children have a tremendous need for access to health care services for evaluation and treatment of complex health problems. Child Welfare is charged with ensuring that its children are seen in a timely and qualitative manner and that issues of health and well-being are addressed.

Our data indicates that our tracking of our health screenings has decreased. Through our evaluation in the CSA we know that we want to improve the tracking and input of data into our CWS/CMS system. Additionally, with the passage of Senate Bill 319, there is an increased role in oversight and monitoring of the use of psychotropic medication for youth in foster care. We will be endeavoring to improve our relationship with the Public Health Department to ensure that our children's health needs as well as oversight of psychotropic medications improves within this partnership.

#### **ACTION STEPS/EVALUATION:**

In order to meet this goal, we will implement the following two strategies:

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<sup>1</sup> Difficulty of Care (DOC) is the Contra Costa County Specialized Care Increment Program.

- Strategy 12: Improve children’s health and mental health well being by evaluating and monitoring to ensure consistent tracking of Mental Health assessments, referrals and services and utilization of psychotropic medications.
- Strategy 13: Improve access and timeliness to medical services by improving collaboration with county public health department CHDP nurses in CWS offices, Receiving Centers and Foster Care clinics.

Strategy 12

To support improvement in tracking Health and Education as well as authorizations for psychotropic medication, clerical staff will be trained in the use of CWS/CMS for entering and tracking data. CWS/CMS as well as Safe Measures and MediCal will be used to track improvement in recording relevant information.

Strategy 13

Improved collaboration with County Public Health Department CHDP Nurses will begin with a revision to the Memorandum of Understanding and ongoing collaboration to enrich the support to the Social Workers through the use of dedicated public health nurses.

To evaluate our improvement in these areas, we will utilize our CQI Unit to track our HEP entries, monitor the rate and number of Mental Health assessments, and develop an enhanced tracking of the medication usage rates. We have entered into a Global Data Sharing Agreement with CDSS and anticipate that our tracking and monitoring will be robust going forward.

**GOAL: STRENGTHEN STAKEHOLDER COLLABORATION IN ORDER TO ADDRESS ISSUES OF CHILD WELFARE DISPARITY AND CULTURALLY SPECIFIC COMMUNITY SERVICES; IDENTIFY AND PRIORITIZE DIRECT SERVICE RESOURCES AND DELIVERY; AND IMPROVE PARTNERSHIPS ON BEHALF OF CHILDREN IN CONTRA COSTA COUNTY.**

**PURPOSE AND RATIONALE:**

In both the CSA and FACT Needs Assessment survey, community and parent stakeholders revealed concerns in our service array for different communities. Moving forward, we believe building our collaboration and partnership with agency partners and community stakeholders will be beneficial to address collaboration and Service Array. Although we have continued to have ongoing community collaborations which we call Community Partnership Meetings, they are regionalized. To increase the knowledge base, we will establish a broad collaboration with a wide range of public and private agencies and community based organization, including families, parents, and youth who have been involved with the Child Welfare System from all regions of the county. We will use this Collaborative to enhance our

ability to collect information on at-risk populations, target areas, assess service needs, identify gaps in services, select priorities for funding and services, formulate goals and objectives and develop opportunities for bringing more effective and accessible services for children and families. Additionally we will utilize this forum to delve further into reasons why we have disparity in our Child Welfare System.

The following comment was made, “The past few years have been difficult for everyone with resources disappearing. We have seen service cuts, reduced staffing and lost community resources both in the county and non-profits. We are coming out of that period and hope to rebuild resources and staff connections. Together we have a lot of training to do. Improved child outcomes are directly related to having a healthy, well-funded system of support.” This comment is related to the fact that many contracts were cut during the recession as well as the fact that non-profits were negatively impacted by the recession with less funding opportunities outside of the county’s resources.

In our CSA, social workers shared a frustration with being able to efficiently and in a timely fashion access resources and service referrals for their families. Although we have 211.org, Surviving Parenthood guide, regular Resource Blasts from our Family Engagement unit, staff still struggle with finding specialized, current and relevant services in a timely manner. We will endeavor to develop a system to bring all our resources together under the umbrella of a referral service.

- Strategy 14: Partner with county agencies and Community Based Organizations to develop a Stakeholder Forum to address issues facing children in Contra Costa including racial disparity and gaps in available services.
- Strategy 15: Ensure access to community resources and services through more effective systems for locating service providers offering appropriate services.

#### **ACTION STEPS/EVALUATION:**

##### Strategy 14

The primary action step for addressing this strategy is creating a collaborative forum to facilitate conversations about service resources, needs and gaps, as well as holding critical conversations about disparity in our system. Partners will include OCAP, county child-serving agencies (i.e. mental health, probations, etc.), Culturally-specific Community Based Organizations, Service Providers, parents, and youth. This collaboration will develop a charter, vision and goals. Deliverables may include a County action plan, ideas for partnership for funding, developing service collaborations, and the like. We will allow this group to define itself, but Child Welfare will take the lead in creating the forum, inviting the partners, and facilitating the process. We will also link this collaborative group with our current

Community Partnership meetings which are held in the three regional areas of West, East and Central County. An information dissemination mechanism will be created between the two meetings.

Measuring increased collaboration is more of a qualitative process. We will use a CQI approach to monitoring our progress. Some ways we may measure change or improvement is to do pre-collaboration surveys, perhaps similar to the stakeholder survey developed in the CSA. Then on a periodic basis, re-implement surveys to measure progress. Another way to measure collaboration is tracking the collaborations that are developed, i.e. two agencies collaboration on a grant.

As it relates to disparity, we will continue to monitor our CFSR outcomes, drilling down into our ethnic/racial groups. As we know, making systemic change in this area is difficult as the greater society plans a significant role in why children of color are treated differently in our system. However, we will monitor our data and identify if there are any specific action items that can be implemented to address a specific issue. 1. Broad involvement and consultation with a wide-range of appropriate public and private non-profit agencies and community-based organizations and parents, including families, parents, and youth who have been involved with or are currently receiving child welfare services.

Strategy 15

In order to develop a relevant service delivery referral system, we will need to conduct research into what models are currently in use by other counties, fields, or jurisdictions. We will identify resources, including technological and staffing, to make this a robust and user friendly service for our staff and families.

**GOAL: DEVELOP A TRAUMA INFORMED WORKPLACE THAT ENSURES A HEALTHY AND COMPETENT WORKFORCE.**

**PURPOSE AND RATIONALE:**

Current best practice supports a coordinated approach to building a responsive trauma informed system of care. According to the Sanctuary Institute ([www.thesanctuaryinstitute.org](http://www.thesanctuaryinstitute.org)), most organizations, like Child Welfare, are not equipped to manage multiple internal and external stressors, yet are charged with managing the adversity faced by the clients we serve. When an organization cannot manage this adversity, the cost to the agency includes: turnover, loss of productivity, employee satisfaction, poor communication, limited capacity to deliver high quality services and poor outcomes for children and families.

As was discussed in our CSA, we have faced the challenge of recruitment and retention of social workers. We have made great strides in our recruitment and hiring process and hired approximately 67

social workers in the last year. However, we have seen the same number leave the agency, leaving us back where we started. We have a general idea what impacts our turnover and Exit interviews conducted by our agency and a survey conducted by CalSWEC<sup>2</sup> provide further information. Issues include compensation & benefits not being adequate, lack of ability to grow, lack of supervisory support, and high caseloads.

As an agency, we are very concerned about the continued turnover and the impact the work is having on our staff. In particular, we believe that if we implement a focus on creating a health workplace that provides the support staff need to handle the stressors of the work as well as learn the job skills, we may see a more competent and stable workforce.

We are interested in utilizing a trauma sensitive perspective to develop our framework in this area. In its fact sheet, “Secondary Traumatic Stress: A Fact Sheet for Child-Serving Professionals”, the National Child Traumatic Stress Network ([www.NCTSN.org](http://www.NCTSN.org)) shares that there are several studies that show that the “development of secondary traumatic stress often predicts that the helping professional will eventually leave the field for another type of work.” They write further that up to 50% of child welfare workers are at high risk of secondary traumatic stress or the related conditions of PTSD and vicarious trauma.

Over the past two years, two internal, staff led workgroups have been meeting to address issues affecting our staff. The first convened in 2015 and is called the County Culture Workgroup. This workgroup’s purpose is to look at ways to improve and create a positive CFS culture. The second workgroup, Staff Retention, convened in 2014 to come up with specific ways to retain staff. These two groups merged in mid 2015 and are now combined as County Culture/Staff Retention Workgroup. This workgroup has promoted a variety of strategies to improve retention. We will incorporate these into our SIP.

Finally, we also have seen from our Exit Interviews that social workers have noted a lack of supervisory support, particularly in the area of content knowledge and support. As we continue to ride through a variety of upheaval in our offices and bring on newer and more inexperienced social workers, we want to create a flexible and comprehensive Supervisory framework. Many of our supervisors are new to their roles and will benefit from a clear way of conducting supervision which will be aimed at improving our ability to train staff on the job effectively.

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<sup>2</sup> CalSWEC Child Welfare Workforce Study: Phase 1, Report for Contra Costa County 2015.

## **ACTION STEPS/EVALUATION:**

There are number of strategies that are recommended for prevention and intervention. We will deploy the three strategies below to create a cohesive approach to improving the workplace.

- Strategy 16: Employ trauma informed strategies to create a healthier workplace and address the secondary trauma that staff faces in their daily work.
- Strategy 17: Develop, prioritize, and implement staff retention strategies such as those created by the CFS County Culture/Staff Retention Workgroup.
- Strategy 18: Develop a more effective supervision model that addresses the needs of newly hired social workers in order to support their learning and ensure competency in their child welfare practice.

### Strategy 16

Activities under Strategy 16 include developing and implementing a 5 year strategy and plan to identify, define and implement strategies that will best support staff in their work with families. Subsequent activities will involve training on identified models that support addressing issues of secondary trauma and engaging staff in conversations that support their well-being and the improve the workplace environment.

### Strategy 17

Strategy 17 focuses on staff retention ideas being explored by the CFS County Culture/Staff Retention Workgroup and explores ways to recruit more social workers. Continued use of exit interviews to glean information about what is working and what is not will also support efforts to create a desirable work place and environment to increase retention.

### Strategy 18

Activities will focus on enhancing the role of supervision for efficiency and efficacy through identifying and implementing best and promising practice supervisory models and coaching and on the job training for supervisors.

To evaluate these strategies, we will monitor staffing patterns including exits and leaves of absences; track Exit Interview results for improvements; conduct a follow up CalSWEC Workforce survey.

## PROBATION

**STRATEGY 1: CHANGE THE CULTURE OF THE PLACEMENT UNIT TO INCREASE FOCUS ON REUNIFICATION OR OTHER PERMANENCY OUTCOMES WITHIN 12 MONTHS.**

### PURPOSE AND RATIONALE:

One of the key findings from the recent CSA was that a change in the culture of the Placement Unit is necessary to increase the focus on timely and successful reunification. Probation will arrange with various providers, including the UC Davis Resource Center for Family Focused Practice and Bay Area Legal Aid to provide increased training to DPOs about the importance of permanency and the tasks and efforts DPOs can put forth when working with the families and youth that may reduce the period of time in care and increase the rate of reunifications and other types of permanency.

As with CFS caseworkers, family engagement can be impacted because of the changes in assigned DPOs. Probation will explore strategies to assure smoother transitions for families when cases are transferred or reassigned between DPOs.

Reunification is not always possible and / or in the best interest of the minor. Probation will increase the use of Family Findings and explore alternatives to congregate care for youth who will not be reunifying.

### ACTION STEPS:

- Increase training to DPOs about the importance of permanency and the options available to youth
- DPO to increase attempts to engage with family, relatives and non-relative extended family members
- Increase number of contacts and attempts to contact with parents, relatives or prospective guardians
- Increase use of Family Findings
- Explore strategies to assure smoother transitions for families when cases are transferred or reassigned between DPOs

**STRATEGY 2: EXPLORE WAYS TO EDUCATE PARENTS AND LEGAL GUARDIANS TO INCREASE THEIR UNDERSTANDING AND INVOLVEMENT IN THE PROCESS OF REHABILITATION AND REUNIFICATION.**

### PURPOSE AND RATIONALE:

The rate of reunification or other forms of permanency for probation youth can be impacted by the youth's families. Some parents are cooperative, informed, engaged, and actively contributing in the

rehabilitation and reunification process of their child. However, for many youth, reunification and efforts to establish other types of permanency is hampered by the family.

Many families lack knowledge about the juvenile justice system and do not understand what it means that their child has been declared a ward and ordered into out of home placement. These families frequently do not seek out the information they need. Some parents view Probation as an adversary; the government agency that took their child away. The animosity they harbor interferes with a productive working relationship. A disinterest by some family members in being involved in the rehabilitative process of their children is a reoccurring factor. There are parents who decide to “wash their hands” of their youth and refuse to allow them to return home. Some parents intentionally separate themselves from the process due to their frustration or disappointment with the child and their involvement in delinquent behavior. Many parents and relatives of probation youth are themselves involved in the justice system as consumers. The notion of increasing their contact with Probation and rehabilitative processes is unappealing.

For some families, a lack of knowledge of the available resources in the community and the services available at their child’s placement impede their engagement in the rehabilitative process. Commonly observed is a lack of knowledge on the process to obtain services or follow through on obtaining services. Some families report a lack of financial resources, communication technology or transportation as impediments to their ability to visit their child regularly, consistently participate in family counseling sessions, or utilize community based resources.

#### **ACTION STEPS/EVALUATION**

- DPO to increase attempts to contact and engage family, relatives and non-relative extended family members in the rehabilitative process of their children through phone calls, letters and emails, and/ or face to face meetings on a monthly basis.
- Probation will explore ways to educate parents and legal guardians to increase their comfort, understanding and involvement in the process of rehabilitation and reunification.
- Probation will look for ways to inform parents and legal guardians of the existing resources in the community and to support parents and legal guardians through referrals to providers of services for housing, employment, parenting classes, counseling and substance abuse treatment.
- Probation can increase support of families by monitoring whether available services are utilized and recognize that assessment of needed services is an ongoing process.

**STRATEGY 3: INCREASE DOCUMENTATION OF MONTHLY CONTACTS WITH YOUTH IN CWS/CMS.**

**PURPOSE AND RATIONALE:**

In terms of CWS/CMS, if information, specifically monthly contacts, is not noted in the system, it is as if the monthly contact did not happen. As previously mentioned, our need for improved performance with measure 2F F2 is not with conducting the monthly visits, it is with consistently documenting the visits in CWS/CMS. Probation's biggest barriers have been identified as a lack of competency by some staff with using CWS/CMS, an insufficient work force to perform the data entry, insufficient access to the database when staff are traveling to programs or otherwise away from the office, and a lack of oversight by the supervisor and manager due to other demands had exasperated and prolonged the inadequate performance on mandated data entry in CWS/CMS.

In an effort to address some of these items, Probation has already implemented several strategies. Probation has obtained additional trainings through the UC Davis Resource Center for Family-Focused Practice for our DPOs, unit clerks, the unit supervisor and the manager, and clerks, and will continue to do so. Probation has adjusted the assigned duties of a second Probation Clerk to assist the current Placement Clerk with inputting information into CWS/CMS. We have increased accessibility to the CWS/CMS site by adding a second computer monitor to each DPO and clerk workstations. We have purchased laptops, one for each placement DPO, for their use while in the field. We added three additional DPO positions to the Placement Unit, bringing the total number of Placement DPOs from six to nine. Although one position is currently vacant, the goal is to fill the position by March 2016. Conversations about allocating another supervisor to the Placement Unit have also been initiated with Administration. Lastly, a recent reassignment of one of the other major responsibilities of the Probation Manager who oversees the Placement Unit, has allowed the manager to have more time to be dedicated to monitoring the DPOs efforts and compliance with CWS/CMS data entry.

**ACTION STEPS/EVALUATION**

- Obtain additional trainings through the UC Davis Resource Center for Family-Focused Practice for our DPOs, unit clerks, the unit supervisor and the manager.
- Establish and maintain a fully staffed unit with fully trained DPOs. This should help create smaller caseload numbers for the DPOs and further improve their ability to input the monthly contacts, as well as other information into CWS/CMS.
- Management to regularly utilize Safe Measures.

## CHILD WELFARE/PROBATION PLACEMENT INITIATIVES

There are myriad initiatives facing the State of California and Contra Costa County is involved with numerous of them. We will describe each initiative below including the extent to which Child Welfare and Probation are involved in the initiative.

### **SAFETY ORGANIZED PRACTICE (SOP)**

In 2013, Child Welfare began implementation of SOP. Safety-organized practices are both practice strategies and concrete tools for "on-the-ground" child welfare workers, supervisors and managers to enhance family participation and foster equitable decision making. Safety-organized practices are child welfare approaches focused on the safety of the child within the family system. The SOP methodology is informed by a variety of best- and evidence-informed practices, including group supervision, Signs of Safety, Motivational Interviewing, and solution-focused treatment. Safety-organized practice brings a common language and framework for enhanced critical thinking and judgment on the part of all involved with a family in the pursuit of a balanced, complete picture of child welfare issues.

To manage the implementation of SOP, an Advisory Group was formed and meets monthly to discuss implementation successes and challenges, as well as develop recommendations for SOP Practice. The Advisory Group developed a Dispo form that incorporates SOP elements. Safety planning and Harm and Danger statements are being worked on currently.

### **KATIE A. PRACTICE MODEL**

Per the Katie A., Child Welfare and Mental Health have worked collaboratively to meet the requirements set forth by the Settlement Agreement. A Katie A Workgroup has met for several years to create a working collaboration and effective system for our children.

In 2014, a new protocol was established that requires a social worker to submit a mental health referral to the mental health liaison for a child on every new and existing child welfare case. The mental health liaison meets with the social worker to discuss the child's needs and completes a mental health screening tool (MHST).

The assessment information, including the child's trauma history, assists mental health staff in choosing the best mental health interventions/services for the child. Behavioral Health contracts with outside In-Home Behavioral Support (IHBS) services programs to ensure expedited accessibility to IHBS services for eligible children.

### **EXTENDED FOSTER CARE (AB 12)**

Extended Foster Care (AB 12 Foster Connections Act) was implemented in 2012 by Child Welfare and Probation. Contra Costa's AB 12 workgroup, which began meeting in 2010, continues to assemble and members participate in a cross county Learning Collaborative to discuss policy, successes, challenges, and strategies with staff in neighboring counties. A desk guide is being created to guide case planning with Non-minor Dependents (NMD). Child Welfare and Probation continue to evaluate organizational alternatives that would best support NMDs. Re-entry cases are primarily focused in a specialized unit but district staff retains cases of youth who transition to NMD status.

### **APPROVED RELATIVE CAREGIVER (ARC) PROGRAM**

The Approved Relative Caregiver (ARC) Funding Option Program gives counties the option to provide funding equal to the basic foster care rate to an approved relative caregiver with whom a non-federally eligible child is placed. Such a non-federally eligible child must reside in California and be a dependent or ward of the juvenile court. When a child is removed from the physical custody of a parent, federal and state laws require that preferential consideration be given to placing the child with a relative. Although placement with a relative is the preferred least restrictive placement, the funding of that placement depends upon whether the child is eligible to receive federal Foster Care. While Foster Care payments may be made to an approved relative on behalf of a federally eligible child, an approved relative who cares for a non-federally eligible child in foster care is not eligible to receive Foster Care under state law. When a non-federally eligible child is placed with an approved relative caregiver, the relative may apply for California Work Opportunity and Responsibility to Kids (Cal Works) payments on behalf of the child. The Cal Works benefits are not a per-child payment, but are based on the size of the family as a whole, and are substantially less than the Foster Care rate. CCC opted into ARC and is in the early stages of implementation. This benefit will impact both Child Welfare and Probation families.

## COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN/YOUTH (CSEC)

SB 855 modified W&I Code 300(b) to define sexual exploitation as Sexual Abuse and require mandated child abuse reports of CSEC, investigation by Emergency Response and opening a child welfare case if required. CDSS will report to state legislature in 2017 in anticipation that this will become a required program.

Contra Costa has opted into the CSEC Program. Research shows that 60-80% of CSEC youth were sexually abused and involved in child welfare. This program requires a countywide, multi-disciplinary approach to CSEC identification, data collection and multi-disciplinary (MDT) case review at macro and case levels. A CSEC Steering Committee was established and is chaired by Child Welfare and Probation. Committee members include the Juvenile Court, County Counsel, DA, PD, victim advocates, service providers, school districts, law enforcement, mental health, and public health. The Committee will develop countywide protocols for identifying and developing a system response for children vulnerable to sexual exploitation and those already being exploited.

Advantages of program participation include funding for interagency collaboration, increasing outreach and services to CSEC youth, support to case manage CSEC youth, and prevention and early intervention with at-risk children. CFS is required to be the lead agency in the program to access state funding. Requirements include data tracking, screening and identification of CSEC at risk and in risk youth; MDT development (emergency, initial and ongoing): collaboration with required partners; and training for foster youth, caregivers and staff. Changes will impact the current foster youth population and will create infrastructure and improved services for the CSEC population.

Bay Area Academy has provided CSEC 101 training for all social workers, social case work assistants, ILSP staff, supervisors, analysts and managers. The Permanency and Transition Unit will pilot a Screening Tool developed by West Coast Children's Center. This tool will be used, once validated, throughout CFS. Probation staff have also been trained to CSEC awareness and plan to join the West Coast Children's Center Pilot research project in the fall of 2015.

## STRUCTURED DECISION MAKING

Child Welfare has been using the Comprehensive Assessment Tool but will transition to Structured Decision Making. SDM tools integrate with Safety Organized Practice (SOP) including providing behaviorally specific definitions of abuse and neglect. Other advantages:

- Improved training and system support by CRC and State
- Improved safety for children
- Decrease in recurrence of abuse and re-entry into foster care
- Improved and early permanency planning
- Enhances consistency in decision-making across Operations and district offices
- Brings CCC in line with 56 other counties using the same Risk Assessment tool.

The “Go Live” date for SDM is 12/1/15. This will be a web-based tool that can be accessed by devices in the field such as iPads. An Implementation Committee convened in June 2015 and has developed a training plan which will begin in September 2015.

## **CONTINUOUS QUALITY IMPROVEMENT SYSTEM**

Federal ACF Children’s Bureau Memorandum 12-07 (August 27, 2012) encouraged states to create a Continuous Quality Improvement (CQI) plan within their Child Welfare programs. The purpose is to identify and analyze strengths and problems, implement and revise solutions; establish a proactive culture that supports continuous learning. CQI is grounded in mission, vision, and values and involves staff, families, and stakeholder participation. The five key CQI components are foundation and administrative structure, quality data collection, ongoing case review, analysis and dissemination of performance data, and process for feedback. Child Welfare created a CQI Division in July 2015 to develop a CQI System for CCC.

### **CASE REVIEWS (component of CQI system)**

As part of the CQI System, CDSS requires all California counties to conduct ongoing case reviews. Contra Costa will be required to review 100 cases per year. State level case review data will be reported to the Federal government. CFS will use county level data to create a learning environment, track performance and outcome trends, and improve practice. Child Welfare will complete the case reviews for Probation.

Advantages include:

- Develops a mechanism for identifying trends and best practices
- Creates a feedback loop for data to all levels of staff
- Creates a learning environment

## LINKAGES

“Linkages” is the term used in Contra Costa County to name the philosophy and working partnership between Cal Works, Children & Family Services (CFS), and community-based partners - *Linkages is a practice, not a program*. It enhances connections to agency and community services and resources that provide a network of support for the family.

The purpose of Linkages includes the following:

- To involve family early on in the case coordination process.
- To streamline case plans, services, goals and timelines which will make more efficient use of time, energy, and resources.
- To enhance access to services for domestic violence, mental health, alcohol or other drug abuse and other barriers to self-sufficiency.
- To increase case plan success; higher accountability.
- To enhance communication.
- To provide post-CFS support that links families to community resources and services to meet the specific needs of the family and child(ren).

Families will attend a Linkages Team Meeting with Cal Works and CFS social workers, service providers and family support to determine who will be responsible for what. The CFS and Cal Works social worker will take the agreements made at the meeting and develop their own state mandated case plan for the parent with clear communication of who is providing what service and what the parent agrees to participate in.

## IMPROVING SAFETY FOR CHILDREN IN FOSTER CARE RECEIVING PSYCHOTROPIC MEDICATIONS

The Child and Family Services Improvement and Innovation Act of 2011 (Public Law 112-34) requires State Title IV-B agencies to improve the oversight and monitoring of psychotropic medication and to include as part of their Health Care Coordination and Oversight Plan comprehensive description of protocols planned to ensure the safe and appropriate use of these medications. California law (Welfare and Institutions Code sections 369.5 and 739.5) requires juvenile court authorization prior to the administration of psychotropic medications to children and youth in foster care. The Psychotropic Medication Protocol, also referred to as the JV220 process, initiates the court authorization of psychotropic medications for dependents of the court. While this process provides a certain level of oversight of psychotropic medication use by children in foster care, additional steps are needed to ensure optimal safety and a more effective delivery of mental health services to these children in care.

Data measures developed by the Psychotropic Medication Quality Improvement Project are being tested and will be made available to counties. Counties will receive information specific to the children and youth under their supervision. Additionally, de-identified, aggregate information will be made publicly available. These measures, based on the matched data, will provide information on prescribing characteristics that pose the most risk to children and youth.

### **RESOURCE FAMILY APPROVAL (RFA)**

Previously referred to as Consolidated Home Study, Resource Family Approval will result in a streamlined, family friendly process for approving relatives, foster parents and adoptive parents for foster children. The process will replace existing processes, often repetitive and time consuming, to minimize moves of children in the system and avoid delays thus promoting expedited permanent placements for children. RFA coincides with Quality Parenting Initiative (QPI) goals to recruit and retain high quality caregivers to provide excellent care for children in child welfare. Contra Costa CFS is following this initiative and will be exploring impact on existing policies and practices.

### **CALIFORNIA CHILD WELFARE CORE PRACTICE MODEL**

Incorporating a variety of initiatives and models such as Katie A. Core Practice Model, California Partners for Permanency Practice Model and Safety Organized Practice, the California Child Welfare Core Practice Model values align with Contra Costa values. The Children's Services Administrative Team has discussed building a consistent encompassing approach to incorporate initiatives developed independently. CFS formed a Project Management Team Meeting many years ago to coordinate county projects, grants, and initiatives in recognition of a need for a common ground that brings everything together. Director level meetings have recently discussed collaborative approaches in the STOP, WRAP, CSEC, and ILS After Care programs.

### **CALIFORNIA'S CHILD WELFARE CONTINUUM OF CARE REFORM**

Continuum of Care Reform (SB 1013, Chapter 35, Statutes of 2012) requires CDSS and stakeholder organizations to develop recommendations to revise the State's current system, services and programs serving children and families across the continuum of foster care placement settings. The intent is to improve assessments of children and families for more informed and appropriate initial placement decisions; emphasize home-based family care placements of children and provide appropriate supports and services; change congregate care placements from long-term placements to Short-Term Residential

Treatment Centers as an intervention when children cannot safely stay in a home-based family care setting; and increase transparency and accountability for child outcomes. The plan impacts foster family agency (FFA) services and supports, national accreditation of foster care providers, satisfaction surveys and rate settings for group homes and FFAs. CCR implementation is slated for January 2017; Child Welfare is currently exploring the impact of this overarching change to resource home requirements; recruitment, approval, licensing and retention of homes; and placement decisions. Full impact will be determined when state clarification is available. Probation anticipates being impacted by CCR Reform. CDSS has added a new Bureau to manage CCR and RFA.

### **QUALITY PARENTING INITIATIVE (QPI)**

The Quality Parenting Initiative (QPI) began in 2009 as a collaborative effort with the California Department of Social Services (CDSS), the County Welfare Directors Association (CWDA). The goal of QPI is to ensure that every child who is removed from home by a child protection agency receives the love, nurturing, advocacy and support he or she needs for healthy development. Key to QPI is increasing the number of committed families, including kin, who can parent these children, supporting excellent practice and ensuring that every family can and does meet the child's needs. The QPI approach relies on:

1. Team planning to model mutual respect
2. Use of branding principles to articulate expectations
3. Use of HR principles to implement the brand
4. Use of data to measure progress
5. Advisors to the project to include county and state staff, caregivers, biological parents, community partners, and private agencies.

We are not sure if QPI will be adopted in CCC, but it is a promising practice we are exploring.

# PERFORMANCE GOALS

## CHILD WELFARE

**Priority Outcome Measure or Systemic Factor:**

### P1 Permanency in 12 months (Entering FC)

Of all children who enter foster care in a 12-month period, what percent discharged to permanency within 12 months of entering foster care?

**National Standard:**  $\geq 40.5\%$

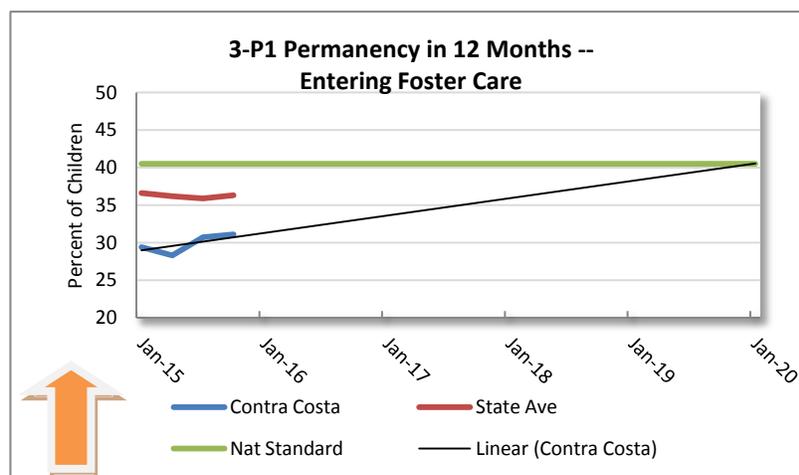
**CSA Baseline Performance (January 2015 Report):** 29.4% (11.1% lower than National Standard)

**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015), Contra Costa CWS performance measure was 31.1%; this is a 1.7% improvement from baseline.

This represents 434 entries to care between April 1, 2013 and March 31, 2014. Of these, 135 were discharged to permanency within 12 months. To meet the National Standard for this quarter, an additional 52 children would have had to exit to Permanency.

**Target Improvement Goal:** The county will improve performance on this measure to meet the National Standard of 40.5%

Performance in the companion measure, 3-P4 Re-Entry to Foster Care was 8.6% at CSA Baseline (January 2015) which exceeds the National Standard by .3%. Performance has declined below the National Standard during the past 3 quarters to 7.7% in October 2015. The number of children impacted by this measure the October 2015 quarter is 155 exits to Reunification or Guardianship within 12 months of entry to Foster Care between July 1, 2012 and June 30, 2013; of these 12 reentered Foster Care. In order to meet the National Standard 1 less child would have re-entered Foster Care. Contra Costa will monitor this measure with the goal of sustaining performance at the National Standard.



Priority Outcome Measure or Systemic Factor:

### 3-P3 Permanency in 12 months (24+ months)

Of all children in foster care on the first day of a 12- month period, who had been in foster care (in that episode) for 24 months or more, what percent discharged to permanency within 12 months of the first day of the 12-month period?

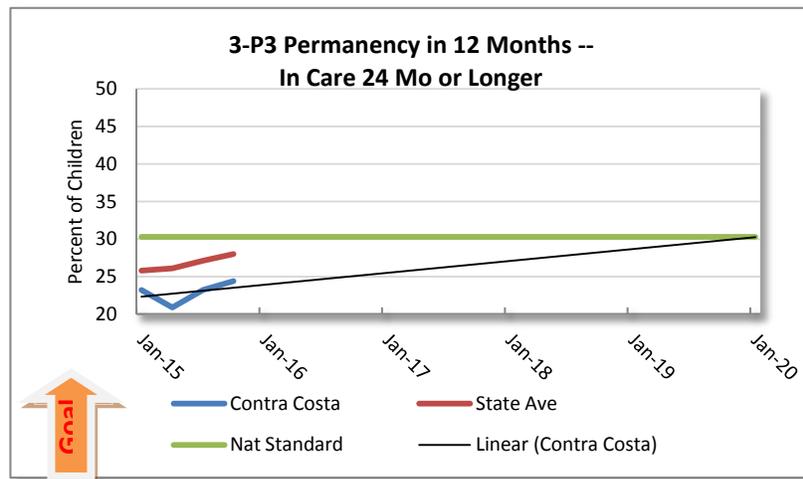
**National Standard:**  $\geq 30.3\%$

**CSA Baseline Performance (January 2015 Report):** 23.2% (7.1% lower than the National Standard)

**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015), CWS performance measurement was 24.4%; this is a slight improvement from baseline performance.

On July 1, 2014, 271 children in care had been in care for more than 24 months. Of these 271 children, 66 were discharged to permanency (Reunification, Guardianship, or Adoptions) between July, 2014 and June 30, 2015. In order to meet the National Standard for this quarter, an additional 17 children would have had to exit to permanency.

**Target Improvement Goal:** Contra Costa CWS will improve performance on this measure from 23.2% to 30.3% which will meet that National Standard.



Priority Outcome Measure or Systemic Factor:

## 2D Timely Response – Completed (10-Day Response Compliance)

This measure reports the percent of cases in which face-to-face contact with a child occurs within the regulatory time frames in those situations in which a determination is made that the abuse or neglect allegations indicate significant danger to the child (10-day response).

**Contra Costa Target:**  $\geq 75.0\%$

**CSA Baseline Performance (January 2015 Report):** 61.6%

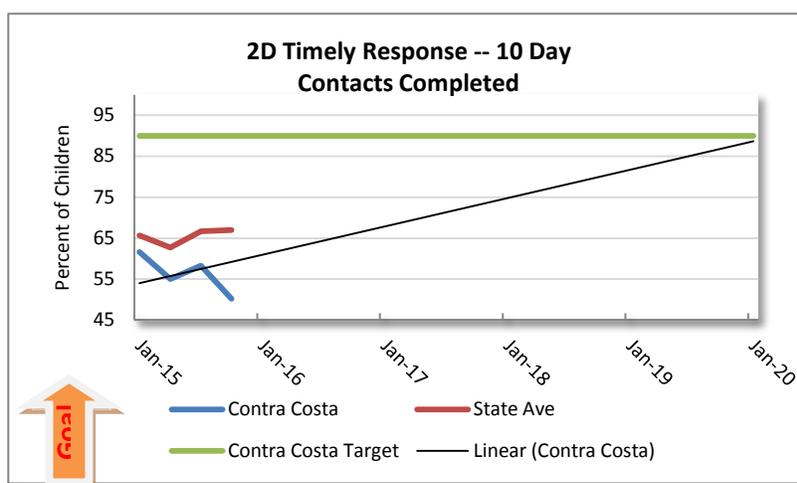
**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015), CWS performance in this measure was 50.2%. This is a significant drop from the January 2015 performance, down 11.4%. The state average performance was 65.7% in January and 67.0% in October.

The performance rate for the October 2015 report looks at all referrals received April 1, 2015 through October 30, 2015 and calculates the percent of those that had a qualified response. Responses that are qualified include:

- At least one child, with a maltreatment allegation, included as a “participant;”
- A contact purpose type of “investigate referral;”
- A communication method of “in-person;”
- A contact status of “completed;”
- A contact party type of “staff person/child”; and
- A contact visit code for a “contact” or “visit” within 24 hours of the referral receipt date for immediate response type or within 10-days for other referrals.

Of the 615 referrals determined for 10-day response during this quarter, only 309 met the above conditions for a qualified response. In order to meet the target goal 90%, 461 would have needed a qualified response, an additional 152 referrals.

**Target Improvement Goal:** Contra Costa CWS will improve performance on this measure from 61.6% as reported in the January 2015 quarterly report to 90% for the January 2020 report.



**Priority Outcome Measure or Systemic Factor:**

**2F Monthly Visits (Out of Home)**

This measure reports the percent of months requiring an in-person contact in which that contact occurred. For each month in the 12-month period, the denominator is the number of children in care who were required to have an in-person contact, i.e., who were in an open placement episode for the full calendar month and the numerator is the number of children in the denominator who had at least one in-person contact during the month.

**National Standard:** ≥ 95.0%

**CSA Baseline Performance (January 2015 Report):** 88.2%

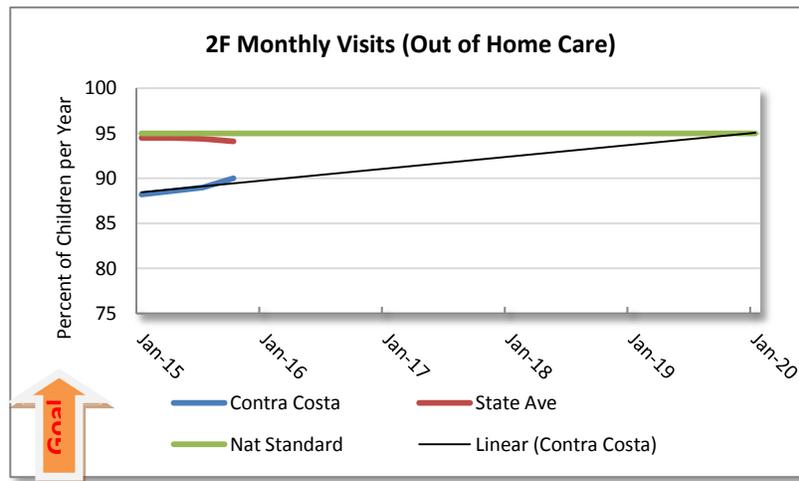
**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015), CWS performance measurement was 90% compliance in monthly visits. This is an improvement of 1.8% from Baseline.

To calculate compliance for this measure, the total number of months between July 1, 2014 and June 30, 2015 where a compliance visit was required was 9,866. 8,881 visits were completed to meet compliance and 985 were not completed to meet compliance. In order to meet the National Standard, an additional 492 compliant visits would be required for the year, an average of 41 per month.

To put this in perspective by determining a monthly average, 822 visits were required, 740 were completed timely and 68 were out of compliance.

The most recent monthly data for this measure indicates that during the month of June 2015, 73.9% or 694 of 774 required visits to children in placement met compliance requirements.

**Target Improvement Goal:** Contra Costa CWS will improve performance on this measure from 89.7% to 95.0% to meet the National Standard.



Priority Outcome Measure or Systemic Factor:

## 2F Monthly Visits In Residence (Out of Home)

This measure reports the percent of months with in-person contacts in which the contact occurred in the residence of the child or youth. The denominator is the number of children in care who had at least one in-person contact during the month and the numerator is the number of children where at least one of that month's in-person contacts was in the placement facility.

**National Standard:**  $\geq 50.0\%$

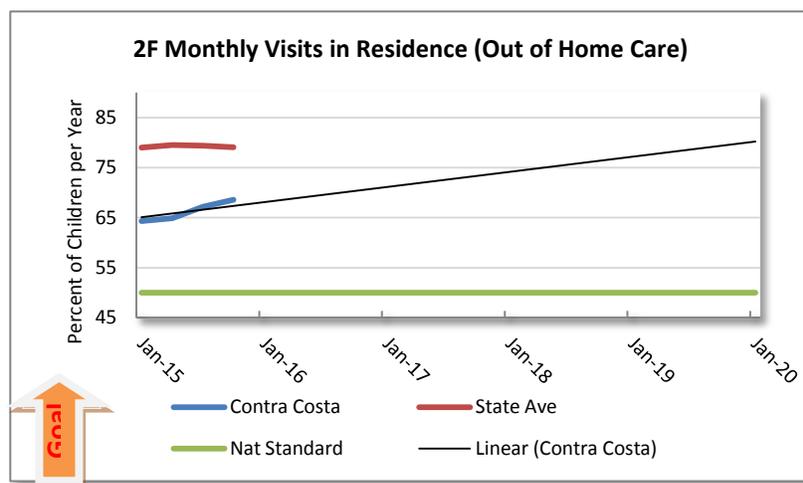
**CSA Baseline Performance (January 2015 Report):** 64.3%

**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015), 68.6% of visits that met compliance between July 1, 2014 and June 30, 2015 were conducted in the out of home care residence of the child.

Compliant visits completed between July 1, 2014 and June 30, 2015 were 8,881. Of these 6,096 were completed in the out of home care residence of the child. This is 1,655 more visits than required to meet the National Standard. The average per month of visits completed in the residence is 508.

During the month of June 2015, there were 774 children in placement; 694 or 89.7% were visited. Of those children visited, 513 or 73.9% were visited in residence. Performance for the month of June exceeded the baseline and the current month (October 2015) measurements.

**Target Improvement Goal:** Contra Costa CWS already meets the National Standard of 50.0%; however performs below the state average at baseline of 79%. Contra Costa CWS will improve performance to 80%.



**Priority Outcome Measure or Systemic Factor:**

**2S Monthly Visits (In Home)**

This report considers each month separately, but summarizes this data for a 12-month period. For each month in the 12-month period, three numbers are determined for children receiving in-home services:

- The number of children receiving in-home services who were required to have an in-person contact, i.e., who received in-home services for the full calendar month;
- The number and percent of children in Group 1 who had at least one in-person contact during the month; and
- The number and percent of children in Group 2 where at least one of that month’s in-person contacts was in the child’s residence.

**State Standard:** There is no National or State Standard for this measure; however, CDSS has indicated that the performance marker will follow Measure 2F:  $\geq 95\%$ .

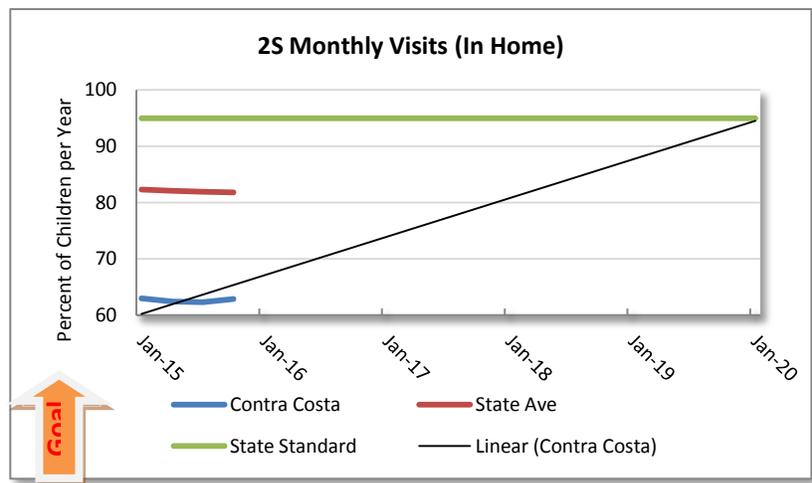
**CSA Baseline Performance (January 2015 Report):** 63.0%

**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015), CWS performance measured 62.9%. This is well below the National Standard and the October 2015 State Average of 81.1%.

The measurement is calculated for a rolling year. The total number of in home services visits required between July 1, 2014 and June 30, 2015 was 5,330. Of these 3,350 were completed to meet compliance. 1, 980 were not completed to meet compliance. The average number of required visits per month was 444. Of these, an average of 2790 were completed to meet compliance, 165 were not.

During the month of June 2015, there were 480 children receiving in-home services. Of these 312 or 65.0% met the standards to meet compliance.

**Target Improvement Goal:** Contra Costa CWS will improve performance on this measure from 89.7% to 95.0% to meet the State Standard.



Priority Outcome Measure or Systemic Factor:

## 2S Monthly Visits in Residence (In Home)

This report considers each month separately, but summarizes this data for a 12-month period. For each month in the 12-month period, three numbers are determined for children receiving in-home services:

- The number of children receiving in-home services who were required to have an in-person contact, i.e., who received in-home services for the full calendar month;
- The number and percent of children in Group 1 who had at least one in-person contact during the month; and
- **The number and percent of children in Group 2 where at least one of that month's in-person contacts was in the child's residence.**

**State Standard:** There is no National or State Standard for this measure; however, CDSS has indicated that the marker will follow Measure 2F:  $\geq 50\%$ .

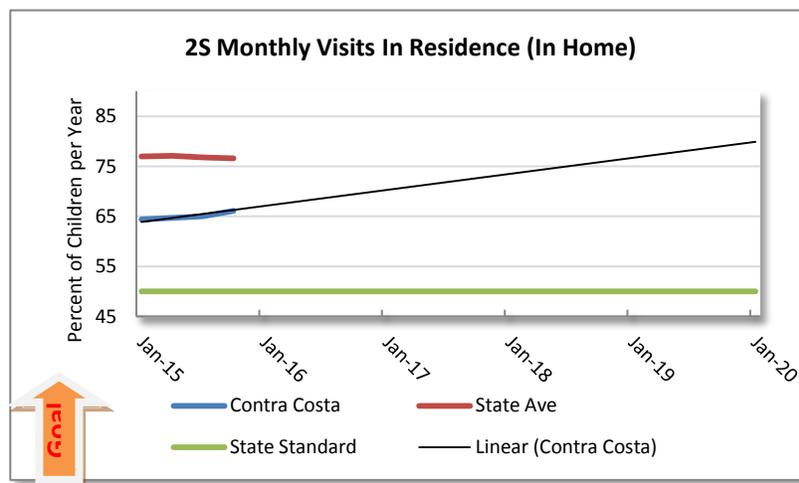
**CSA Baseline Performance (January 2015 Report):** 64.4%

**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015), Contra Costa's performance on this measure was 66.1%. This is an improvement of 1.7% above Baseline. This performance meets the State Standard of 50% but is well below the State Average of 76.6%.

This measure is calculated for a rolling 12 month period: 3,350 visits for children and families receiving in home services were completed to meet compliance between July 1, 2014 and June 30, 2015. 2,215 of these visits occurred in the residence home of the child and family. The monthly average is 279 visits meeting compliance and 184 occurring in the home.

During the month of June 2015, there were 480 children receiving in-home services. Of these 312 or 65.0% met the standards to meet compliance. Of these 312, 223 or 71.5% of the visits were in the residence. This is greater than baseline and indicates improvement in performance.

**Target Improvement Goal:** Contra Costa CWS will improve performance on this measure from 64.4% at Baseline to 80.0%.



**Priority Outcome Measure or Systemic Factor:**

**4B Least Restrictive (Entries First Placement: Relative)**

This measure is derived from a longitudinal database of all entries to out of home care (in care 8 days or more) during the time period specified and computes the percentage of children who have a first placement of "Relative" (labeled "Kin" in UCB data tables). A child's first out of home placement with "Relatives" is drawn from the CWS/CMS variable plc\_fclc and includes the following codes: Relative / NREFM Home (1421) and Tribe Specified Home (1422). (Age 0 to 17 years.)

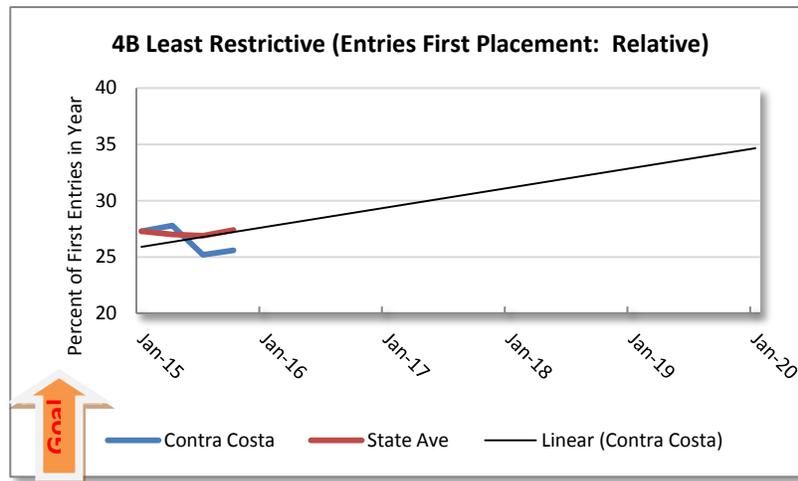
**Performance Target:** Standards are not set for this measure; the goal is to increase the number of first placements with relatives. Contra Costa CWS has set a target of 35.0%.

**CSA Baseline Performance (January 2015 Report):** 27.3%

**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015), 25.6% first entries to Foster Care for children served by Contra Costa Child Welfare Services were placed with relatives.

Of the 508 entries to Foster Care between July 1, 2014 and June 30, 2015, 130 were placed with relatives.

**Target Improvement Goal:** Contra Costa CWS will improve performance in this measure 7.7% from 27.3% to 35.0% during the SIP period.



Priority Outcome Measure or Systemic Factor:

### 4B Least Restrictive (Point in Time Placement: Relative)

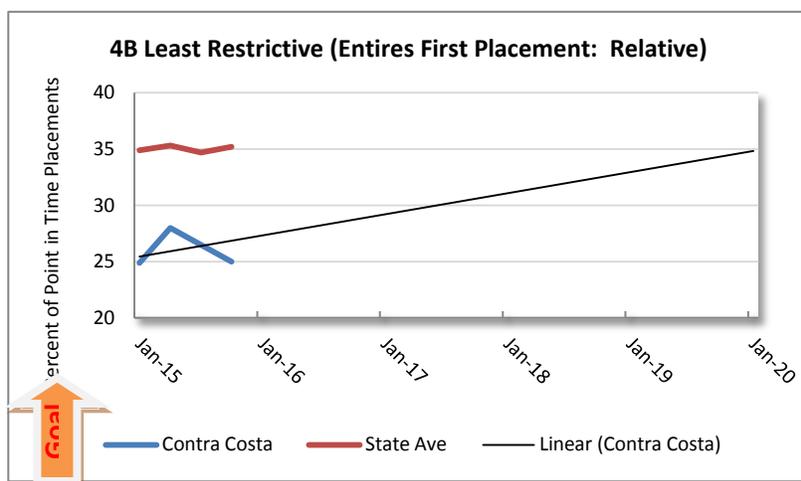
This measure is a point in time count of all children who have an open placement episode of "Relative" in the CWS/CMS system (labeled "Kin" in UCB data tables). On the count day, children are assigned to the county in which they have an open case or referral. Children who have a substitute care provider assignment of 'relative non-guardian' are categorized as a "Relative" placement. (Age 0 to 20 years.)

**Performance Target:** Standards are not set for this measure; the goal is to increase the number of point in time placements with relatives. Contra Costa has set a target of 35.0%.

**CSA Baseline Performance (January 2015 Report):** 24.9%

**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015), 25.0% of children in placement on July 1, 2015 were placed with relatives. Of the 1,107 children in placement at this time, 277 of them were placed with a relative. 35% of children in placement on July 1, 2015 are 387; to reach the target in the October quarter, an additional 110 children would have had to be placed with relatives.

**Target Improvement Goal:** Contra Costa CWS will improve performance on this measure from 24.9% to 35.0% during the SIP period.



Priority Outcome Measure or Systemic Factor:

## 5B (1 & 2) RATE OF TIMELY HEALTH AND DENTAL EXAMS

This report provides the percentage of children meeting the schedule for Child Health and Disability Prevention (CHDP) and Division 31 medical and dental exams. Per California Code of Regulations: "Persons will be considered overdue for an assessment on the first day he or she enters a new age period without assessment having been performed in the previous age period." Minors must have a medical and/or dental exam by the end of their age period; for example, a child must receive one exam while two-years-old. Division 31 counts a child as out of compliance when the child leaves an age period without an exam.

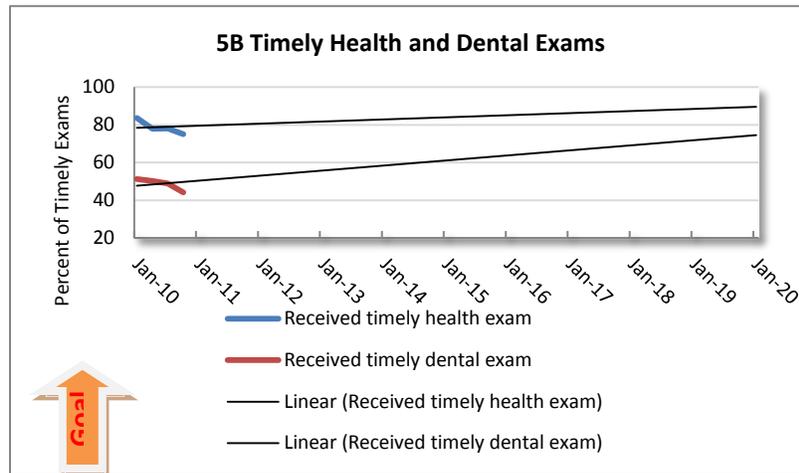
The child's age is calculated at the end of the quarter.

**Performance Target:** Standards are not set for this measure. Contra Costa CWS is setting a goal to increase the percent of children and are recorded as receiving timely medical exams from 75.4% to 90.0% and to increase the percent of children who receive and are recorded as receiving dental exams from 51.3% to 75.0%.

**CSA Baseline Performance (January 2015 Report):** 75.4% for Health Exams and 51.3 for Dental Exams

**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015), 75.4% of children received timely health exams and 51.3% received timely dental exams.

**Target Improvement Goal:** Contra Costa CWS is setting a goal to increase the percent of children and are recorded as receiving timely medical exams from 75.4% to 90.0% and to increase the percent of children who receive and are recorded as receiving dental exams from 51.3% to 75.0% by the end of the SIP period.



Priority Outcome Measure or Systemic Factor:

## 5F AUTHORIZATION FOR PSYCHOTROPIC MEDICATION

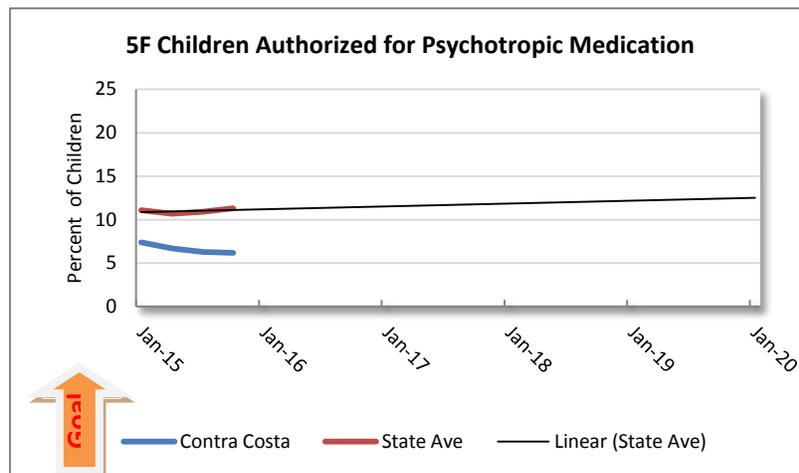
This report provides the percentage of children in placement episodes with a court order or parental consent that authorizes the child to receive psychotropic medication. Children are counted when the Health and Education Passport reflects:

**Performance Target:** Standards are not set for this measure. Contra Costa CWS is setting a goal to improve the process for tracking children referred for psychotropic medication.

**CSA Baseline Performance (January 2015 Report):** 7.4% children are recorded as authorized for psychotropic medication.

**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015), 7.6% of children are recorded as authorized for psychotropic medication. The percent of children recorded as authorized in quarters in 2012 through April 2014 was in the 9% range.

**Target Improvement Goal:** Contra Costa CWS is setting a goal to improve the accuracy of tracking children authorized to receive psychotropic medication through the reengagement of Public Health Nurse collaboration and examination and monitoring of the referral and tracking process,



Priority Outcome Measure or Systemic Factor:

## STAKEHOLDER COLLABORATION

This is a Systemic Factor that Contra Costa chooses to address. Improvement in collaboration with Stakeholders includes the following actions:

- Enhance and enrich collaboration with agency partners and community providers by re-establishing a Systems of Care approach and team.
- Create a forum for conversations about disparity and disproportionality.
- Address prevention and intervention needs with community providers; this includes available services, gaps in services, access to available services, and promoting use of available services.

**CSA Baseline Performance:** We will establish a baseline for this measure through conducting a Collaboration Satisfaction survey with the Collaboration stakeholder group. We will conduct annual surveys to measure improvements or decreases in satisfaction.

### Performance Targets:

- Hold bi-annual stakeholder meetings.
- Develop and complete deliverables (including developing charter, goals, etc.)
- Conduct Service Needs assessment and prioritize funding and service needs for OCAP funds.
- Creating a forum for conversations about disparity and disproportionality and identify disparity goals on which to focus.

### Target Improvement Goal:

- Increase in collaborative opportunities.
- Improved satisfaction with collaboration between stakeholders and agency.
- OCAP funding will align with identified needs from FACT and Collaboration surveys.
- Increase in opportunities for disparity conversations thus improvement in selected disparity goals.

Priority Outcome Measure or Systemic Factor:

## DEVELOP A HEALTHY AND COMPETENT WORKFORCE

In order to develop a healthy and competent workforce, we will work on three main strategies: trauma informed paradigm, supervisor framework, and staff retention action steps. In order to measure change, we will employ an evaluation approach that will encompass multiple domains from job satisfaction, to job training and support, to commitment to the agency. Since we have already established a baseline from the CalSWEC Workforce Study in 2015, we will use that as our main evaluation methodology.

**CSA Baseline Performance:** We will utilize the CalSWEC Workforce study as our baseline for comparison and tracking of change. This study surveyed 192 staff.

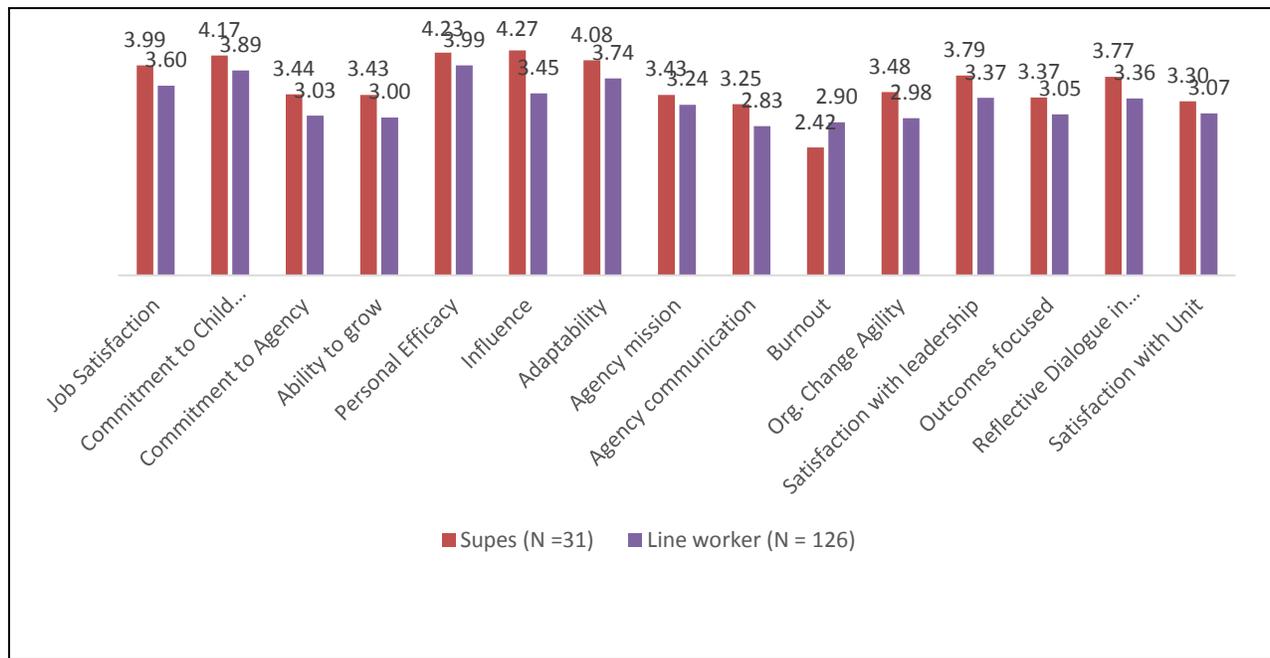
**Performance Targets:** We will measure change in the following areas:

1. Satisfaction
2. Commitment to Child Welfare
3. Commitment to Agency
4. Satisfaction with Supervisor
5. Staffing Agency
6. Training
7. Growth
8. Personal Efficacy
9. Influence
10. Adaptability
11. Mission
12. Cohesion
13. Autonomy
14. Communications
15. Personal Stress
16. Burnout
17. Organizational Change Ability
18. Leadership
19. Focus on Outcomes
20. Reflective Dialogue
21. Unit
22. Field Education
23. Common Core Training

**Target Improvement Goal:** We will strive to improve all of these domains below with a particular focus on job satisfaction, personal stress and burnout, satisfaction with supervisor, and commitment to the agency.

The following is a comparison of the domains above between supervisors and line workers. We will work to improve these areas. *Note: Factors are made up of individual items to which staff responded on a scale from 1(Strongly Disagree) to 5 (Strongly Agree).*

*% Agree include responses of 4 & 5 on the scale and % Disagree include responses of 1 & 2 on the scale. Higher means and more agreement indicate more favorable attitudes.*



## PROBATION

Priority Outcome Measure or Systemic Factor:

### 3-P1 Permanency in 12 months (Entering FC)

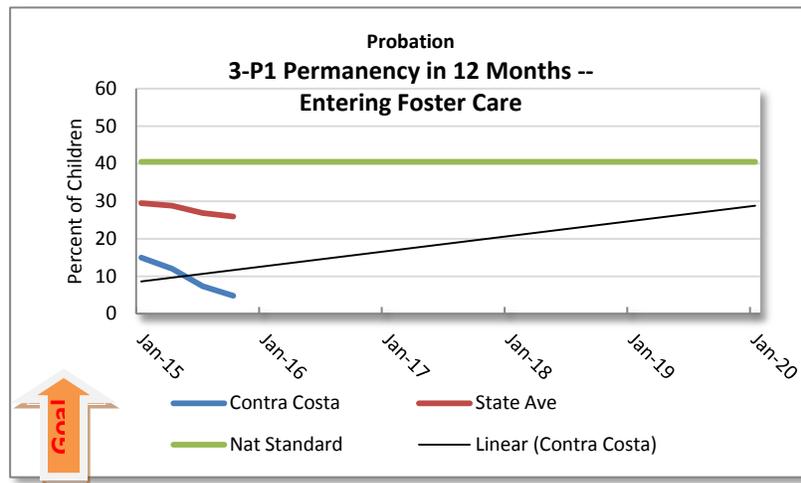
Of all children who enter foster care in a 12-month period, what percent discharged to permanency within 12 months of entering foster care?

**National Standard:**  $\geq 40.5$

**CSA Baseline Performance (January 2015 Report):** For the time period of July 1, to December 31, 2013, of the 80 probation youth entering foster care, 12 youth (15.0%) reunified in less than 12 months.

**Current Performance:** According to the October 2015 Quarterly Data Report (Quarter 2 of 2015) 5 of the 104 probation youth (4.8%) who entered foster care in a 12 month period were discharged to permanency within 12 months of entering foster care.

**Target Improvement Goal:** Contra Costa Probation will improve performance on this measure from 15.0% by 15.0% to 30.0%, resulting in approximately 26 to 31 children exiting to permanency.



## APPENDIX 1: FIVE YEAR SIP CHART

### CHILD WELFARE

**GOAL: STRENGTHEN QUALITY CASE PLANNING AND FAMILY TEAMING TO IMPROVE TIMELY FAMILY REUNIFICATION.**

<p><b>CWS STRATEGY 1:</b> Strengthen quality case planning through the utilization of the SDM Family Needs and Strengths Assessment (FSNA tool) to inform and to collaboratively identify critical family needs that should be addressed in the case plan.</p>	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): P1 P3  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project.	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
A. Train social workers and supervisors to use Family Strengths and Needs Assessment (FSNA) tool.	January 2016	Ongoing	Staff Development
B. Utilize coaching through the Bay Area Academy Training to support the Transfer of Learning for Supervisors and social workers. This coaching will instruct them in how to link the tool to the case plan development.	January 2016	Ongoing	Staff Development
C. Train Supervisors to learn the supervisory responsibilities for SDM practice via the Children’s Resource Center’s SDM Advanced training. Supervisors will learn how to support worker’s effectiveness in conducting assessments related to the FSNA, Family Reunification Risk Assessments and other SDM assessments. They will also learn how to utilize the case reading tools associated with their unit assignments to ensure quality documentation	February – May 2016	Provided Annually and on an ongoing basis	Staff Development

and casework			
D. The SDM Quality Implementation workgroup will develop Case Reading protocols and standards for supervisors in order to ensure and monitor quality case plans.	June 2016	ongoing	SDM Quality Implementation Workgroup
E. Implement Case Reading Protocols and monitor results. Make adjustments to the protocols as needed (i.e. more coaching, focused support to specific units, etc.)	January 2017	Ongoing/quarterly	Quality Assurance Division
F. Track SDM Reunification Risk Assessment tool usage and monitor Safety and Re-entry measures.	March 2016	Ongoing/quarterly	Quality Assurance

<b>CWS STRATEGY 2:</b> Improve family teaming through the increased usage of Team Decision Making meetings that use strength based collaborative strategies such as the Safety Organized Practice framework.	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): P1 P3  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
<b>Action Steps:</b>	<b>Implementation Date:</b>	<b>Completion Date:</b>	<b>Person Responsible:</b>
A. Update TDM meetings to incorporate SOP framework into TDM meetings including use of mapping techniques.	July 2016	December 2020	TDM Unit
B. Pilot new TDM/SOP meetings.	February 2017	July 2017	TDM Unit & Workgroup
C. Evaluate Pilot and make adjustments to model.	August 2017	Ongoing	Quality Assurance TDM/SOP Workgroup
D. Update TDM policy	May 2017	October 2017	Policy Division

E. Train staff and TDM facilitators to new TDM/SOP model	October 2017	December 2017	Staff Development
F. Launch new TDM/SOP model	January 2018	Ongoing	TDM Unit
G. Establish baseline for average number of TDM meetings and subsequently track rate of TDM/SOP meetings thereafter.	February 2017	Ongoing/monthly	TDM Unit Quality Assurance
H. Track SDM Reunification Risk Assessment tool usage and monitor Safety and Re-entry measures.	March 2016	Ongoing/quarterly	Quality Assurance

<b>CWS STRATEGY 3:</b> Improve family engagement by expanding and incorporating the strategies of Safety Organized Practice framework into the casework of Social Workers.	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A		Applicable Outcome Measure(s) and/or Systemic Factor(s): P1 P3  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project
	<b>Action Steps:</b>	<b>Implementation Date:</b>	<b>Completion Date:</b>
A. Continue to provide regular and consistent SOP Overview training and all training modules for all Social Workers and Supervisors.	January 2016	Ongoing	Staff Development SOP Advisory Group
B. Provide SOP Coaching on a regular basis to ensure transfer of learning and competency in the SOP skills.	January 2016	June 2017	Staff Development SOP Advisory Group
C. Conduct survey with staff regarding SOP knowledge and satisfaction rates to determine level of implementation and direct future training needs.	June 2016	December 2017	Quality Assurance

**GOAL: ASSURE CHILD SAFETY AND INFORM PERMANENCY PLANNING THROUGH IMPROVEMENT IN FREQUENCY, TIMELINESS, AND QUALITY OF SOCIAL WORKER VISITS.**

<p><b>CWS STRATEGY 4:</b> Improve timeliness and quality of child and family visits through the utilization of engagement strategies, by monitoring quality of visits and tracking compliance of visits</p>	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): P1 P3 2F 2S  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
<p>A. Convene a workgroup to a vision and create best practice standards for strength-based child engagement interview techniques, home visiting practices, and the use of SOP tools during child and family interactions. Workgroup will review and consider current policies.</p>	<p>March 2016</p>	<p>October 2016</p>	<p>Quality Assurance Division SOP Advisory Group</p>
<p>B. Workgroup will develop recommendations for training and policy.</p>	<p>October 2016</p>	<p>December 2016</p>	<p>Quality Assurance Division Home Visit Workgroup</p>
<p>C. Develop and publish best practice Child Engagement &amp; Home Visit policy and protocols.</p>	<p>January 2017</p>	<p>March 2017</p>	<p>Policy Division</p>
<p>D. Train staff to updated Child Engagement and Home Visit policy.</p>	<p>March 2017</p>	<p>July 2017</p>	<p>Staff Development</p>
<p>E. Arrange for coaching opportunities for using SOP tools or other practice strategies that enhance home visiting practice.</p>	<p>March 2017</p>	<p>Ongoing as needed</p>	<p>Staff Development</p>

F. Develop Case Reading protocols and standards for supervisors in order to monitor quality home visits including engagement with children and families.	January 2017	March 2017	Quality Assurance Division
G. Implement Case Reading Protocols and monitor results of child and family engagement on a quarterly basis.	April 2017	Ongoing/quarterly	Quality Assurance Division
H. Issue policy to set expectations and standards for 2F and 2S compliance rates.	February 2016	February 2016	Policy Division
I. Supervisors will track and report compliance of 2F and 2S on a monthly basis with social workers and Division Manager.	January 2016	Ongoing/monthly	Operational & Permanency & Transition Division Managers
J. Division Managers will report and discuss compliance rates on a monthly basis at CSAT. CSAT will review and make adjustments to policy, monitoring, or resources as needed.	February 2016	Ongoing/monthly	Operational & Permanency & Transition Division Managers

<b>CWS STRATEGY 5:</b> Improve child safety and increase reunification of families through consistent and quality implementation of the Structured Decision Making practice.	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): P1 P3 2D 2F 2S  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
A. Commence SDM Quality Implementation workgroup to oversee early implementation of SDM.	January 2016	Ongoing	Quality Assurance
B. Train social workers to Children’s Research Center’s (CRC) recommended training for SDM.	January 2016	Ongoing	Staff Development
C. Train supervisors to SDM Advanced training and provide ongoing coaching.	January 2016	Ongoing	Staff Development
D. Implement SDM Target Benchmarks as recommended by CRC and monitor.	January 2016	Ongoing	Quality Assurance
E. Track tool usage in Safe Measures and WebSDM; report usage rates to CSAT.	March 2016	Ongoing/quarterly	Quality Assurance
F. Conduct Post-implementation Survey with staff to measure change in knowledge and SDM skills.	July 2016	Ongoing annually	Quality Assurance

**GOAL: INCREASE TIMELY AND QUALITY COMPLETED FIRST CONTACTS WITH CHILDREN IN 10 DAY REFERRALS TO ASSURE CHILD SAFETY.**

<p><b>CWS STRATEGY 6:</b> Develop and implement policy and practice that ensures that children and families are seen within 10 days of the receipt of child abuse referrals.</p>	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	<p>Applicable Outcome Measure(s) and/or Systemic Factor(s): 2D</p> <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
<p>A. Convene workgroup to review existing policy and make recommendations to improve compliance in timely completed contacts for 10 day referrals.</p>	<p>March 2016</p>	<p>May 2016</p>	<p>Operations</p>
<p>B. Write policy.</p>	<p>May 2016</p>	<p>July 2016</p>	<p>Policy Division</p>
<p>C. C. Train staff to new policy and procedures.</p>	<p>August 2016</p>	<p>September 2016</p>	<p>Staff Development</p>
<p>D. Track measure 2D and report compliance to CQI Collaborative meeting and CSAT.</p>	<p>October 2016</p>	<p>Ongoing/quarterly</p>	<p>Quality Assurance Division</p>

<b>CWS STRATEGY 7:</b> Utilize the SDM Safety Assessment to ensure the accurate assessment of children’s immediate safety and develop quality and timely Safety Plans that accurately address threats to a child’s safety to remain in the family home.	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): P1  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
<b>Action Steps:</b>	<b>Implementation Date:</b>	<b>Completion Date:</b>	<b>Person Responsible:</b>
A. Train Emergency Response workers regarding the use of SDM Safety Assessment tools and Safety Plans.	January 2016	Ongoing	Staff Development
B. Provide coaching regarding the writing of SDM Safety Plans with Emergency Response units.	March 2016	Ongoing	Staff Development
C. Develop best practice protocols for when a safety plan is to be used and how to practice with a family.	February 2016	Ongoing	SDM Quality Implementation Team
D. Emergency Response Supervisors to read, monitor, adjust and approve all Safety Plans.	March 2016	Ongoing	District Operational Managers
E. Track SDM Safety Plans where Safety Plans are warranted to ensure children are safe in the home.	March 2016	Ongoing/quarterly	Quality Assurance Division
F. Conduct random case reviews of safety plans. Report results and make adjustments as needed.	July 2016	Ongoing/semi-annual	Quality Assurance Division

**GOAL: IMPROVE PERMANENCY OUTCOMES BY INCREASING THE RATE AND QUALITY OF RELATIVE/NREFM PLACEMENTS.**

<p><b>CWS STRATEGY 8:</b> Increase the rate of children placed with relatives and NREFMs and by improving the efficiency of the Emergency Placement Process.</p>	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	<p>Applicable Outcome Measure(s) and/or Systemic Factor(s):            P1            P3            4B    <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project</p>	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
A. Revise current Emergency Placement process & protocols with Relatives.	July 2016	Ongoing May 2016	Policy Division
B. Revise policy as needed after implementation of the Resource Family Approval process in January 2017.	February 2017	ongoing	Policy Division
C. Train staff to new policy and procedures.	May 2017	ongoing	Staff Development
D. Monitor Outcomes (4B) for improvement on a quarterly basis.	October 2016	Ongoing/quarterly	Quality Assurance Division

<b>CWS STRATEGY 9:</b> Expand Relative Notification and Family Finding efforts in order to increase the pool of available and quality approved relatives.	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): P1 P3 4B  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
A. Review Relative Notification and Family Finding processes and policies; analyze what is working well and identify the gaps.	March 2017	June 2017	Resource Division
B. Develop enhanced Family Finding and Relative Notification policies and procedures	June 2017	September 2017	Policy Division
C. Implement policy.	October 2017	October 2017	Policy Division
D. Train Staff to new procedures.	October 2017	Ongoing	Staff Development
E. Track and report Family Finding related statistics to CSAT on a quarterly basis.	October 2017	Ongoing/quarterly	Quality Assurance Division  Relative Approval/Family Finding Supervisor

<b>CWS STRATEGY 10:</b> Improve partnerships and communication with caregivers through the efforts of the Caregiver Steering Committee.	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): P3 4B  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
A. A. Create a subcommittee from the Caregiver Steering committee to address the communication challenges between social workers and caregivers.	June 2016	July 2016	Caregiver Steering Committee Resource Division
B. B. Caregiver Communication Subcommittee will identify barriers and develop policy recommendations to improve communication.	September 2016	February 2017	Caregiver Steering Committee Resource Division
C. C. Write policy regarding communication standards.	February 2017	April 2017	Policy Division
D. D. Train staff to new communication policy.	May 2017	July 2017	Staff Development
E. E. Track complaints related to communication between caregivers and social workers and report to Resource Division.	August 2017	Ongoing/monthly	Caregiver Liaison

<b>CWS STRATEGY 11:</b> Develop and implement a county-wide Specialized Care Increment (SCI) program (called Difficulty of Care in Contra Costa) to enhance support to caregivers for children with special care needs.	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): P3 4B <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
A. Create a centralized DOC program to ensure all relatives and foster parents are equally knowledgeable of their resources and evaluated for enhanced stipends.	June 2016	December 2016	Quality Assurance Division Centralized SCA/DOC Supervisor
B. Write DOC policy and procedures.	January 2017	March 2017	Policy
C. Implement centralized DOC program.	April 2017	Ongoing	Centralized SCA/DOC Supervisor
D. Track the number of relatives assessed for DOC and rate of those who are awarded enhanced foster funding. Report to CSAT on a quarterly basis.	April 2017	Ongoing/quarterly	Quality Assurance Division
E. Partner with the Caregiver Liaison and Kinship Centers to identify all the resources available for relatives and develop a communication strategy to disseminate this information.	June 2016	December 2016	Caregiver Liaison Kinship Center Contract Monitor DOC Supervisor
F. Disseminate this resource information to relatives on an ongoing basis.	January 2017	Ongoing	Caregiver Liaison Kinship Center Contract Monitor DOC Supervisor

**GOAL: IMPROVE THE HEALTH AND MENTAL HEALTH WELL-BEING OF CHILDREN SERVED BY CHILDREN & FAMILY SERVICES AND IMPROVE ACCESS, TIMELINESS AND QUALITY OF THESE SERVICES.**

<p><b>CWS STRATEGY 12:</b>          Improve children’s health and mental health well-being by evaluating and monitoring to ensure consistent tracking of mental health assessments, referrals and services and utilization of psychotropic medications.</p>	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): Systemic Factors: 5B 5F Child Well Being  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
<p>A. Improve data entry of medical and dental information entered into the Health and Education Passport (HEP). Monitor data through Safe Measures on a consistent basis.</p>	<p>April 2016</p>	<p>Ongoing/quarterly</p>	<p>Quality Assurance</p>
<p>B. Train HEP clerks and staff to the HEP entry policy on an annual basis to refresh on the basics of HEP entry and focus on any identified areas of improvement.</p>	<p>August 2016</p>	<p>Ongoing/Annually</p>	<p>Staff Development</p>
<p>C. Plan and develop an improved tracking system of psychotropic medications.</p>	<p>February 2016</p>	<p>Ongoing</p>	<p>Quality Assurance</p>
<p>D. Monitor Psychotropic medication data, utilizing SafeMeasures and MediCal data reports from the Global Sharing Agreement.</p>	<p>January 2016</p>	<p>Ongoing</p>	<p>Quality Assurance</p>

<p><b>CWS STRATEGY 13:</b>                  Improve access and timeliness to medical services, improving collaboration with County Public Health Department CHDP Nurses in CWS offices, Receiving Centers and Foster Care Clinics.</p>	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): Systemic Factors: 5B 5F Child Well Being  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
A. Improve collaboration and partnership with Public Health to ensure the health needs of children in foster care are being met.	January 2016	Ongoing	Quality Assurance
B. Revise and implement a Memorandum of Understanding between CFS and Public Health to ensure the needs of foster children are being met per statute.	July 2016	Ongoing	Quality Assurance
C. Enhance psychotropic medication monitoring, education of foster youth and caregivers through the use of dedicated public health nurses.	July 2016	Ongoing	Quality Assurance
D. Educate foster youth regarding the side effects and benefits of psychotropic medications through the use of communication materials (flyers, FAQs, training, conversations with nurses, etc.)	August 2016	Ongoing	Policy Division Operational & Permanency and Transition Divisions

**GOAL: STRENGTHEN STAKEHOLDER COLLABORATION IN ORDER TO ADDRESS ISSUES OF DISPARITY AND CULTURALLY SPECIFIC COMMUNITY SERVICES; IDENTIFY AND PRIORITIZE DIRECT SERVICE RESOURCES AND DELIVERY; AND IMPROVE PARTNERSHIPS ON BEHALF OF CHILDREN IN CONTRA COSTA COUNTY.**

<p><b>CWS STRATEGY 14:</b> Partner with Agency Partners and Community Based Organizations to develop a Stakeholder forum to address issues facing children in Contra Costa County including issues of racial disparity and gaps in available services.</p>	<input checked="" type="checkbox"/> CAPIT <input checked="" type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input type="checkbox"/> N/A	<p>Applicable Outcome Measure(s) and/or Systemic Factor(s): Systemic Factors: Stakeholder Collaboration</p> <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
<p>A. A. Convene CCC Community Stakeholder Alliance (placeholder name) that includes a broad range of agency partners and community stakeholders to address issues of disparity, develop future prevention plans, and identify service resources, and support implementation of new initiatives related to disparity and resources.</p>	<p>January 2017</p>	<p>Ongoing</p>	<p>OCAP Liaison Quality Assurance Division</p>
<p>B. B. Develop a structure, vision, charter, and goals. Identify deliverables, dissemination mechanisms and communication structure to include intersection with currently standing Community Partnership Meetings.</p>	<p>January 2017</p>	<p>April 2017</p>	<p>OCAP Liaison Quality Assurance Division</p>
<p>C. Create and implement a satisfaction survey to measure levels of partnership and services at annual intervals.</p>	<p>March 2017</p>	<p>Ongoing/annually</p>	<p>Quality Assurance Division</p>
<p>D. Monitor deliverables set forth by the collaboration</p>	<p>April 2017</p>	<p>Ongoing/quarterly</p>	<p>Quality Assurance Division</p>
<p>E. Monitor and track disparity trends for children in foster care.</p>	<p>January 2016</p>	<p>Ongoing/quarterly</p>	<p>Quality Assurance Division</p>

F. Identify Community Needs and determine service funding priorities in anticipation of the next RFP Prevention funding cycle.	October 2017	Ongoing	OCAP Liaison Quality Assurance Division
G. Develop and release RFP/RFI for PSSF/SFP/CBCAP/CAPIT funds. Include findings from annual FACT Committee Needs Assessment.	January 2018	May 2018	OCAP Liaison
H. Contract with selected Service Providers.	June 2018	July 2018	OCAP Liaison
I. Monitor contracts and report evaluation findings to the CCC Community Stakeholder Alliance.	June 2019 – December 2020	Ongoing/annually	OCAP Liaison Quality Assurance Division

<b>CWS STRATEGY 15:</b> Ensure access to community resources and services through a more effective system for staff and families.	<input checked="" type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): P1 Systemic Factors: Stakeholder Collaboration  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
A. Research innovative ways to track, house, and disseminate resources to staff and families.	January 2018	July 2018	Quality Assurance Resource Division
B. Develop system concept including resources needed (technology, staff, etc.)	August 2018	December 2018	Quality Assurance Resource Division
C. Identify funding resources to support concept.	August 2018	December 2018	Quality Assurance Resource Division
D. Create work plan to create and implement new system.	January 2019	Ongoing	Quality Assurance Resource Division

**GOAL: DEVELOP A TRAUMA INFORMED WORKPLACE THAT ENSURES A HEALTHY AND COMPETENT WORKFORCE.**

<p><b>CWS STRATEGY 16:</b> Employ trauma informed strategies to create a healthier workplace and address the secondary trauma that staff faces in their daily work.</p>	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	<p>Applicable Outcome Measure(s) and/or Systemic Factor(s): Systemic Factors: Healthy Workforce</p> <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
<p>A. Develop and implement a 5 year strategic plan to address ways to incorporate trauma informed strategies. Consider utilizing external resources such as the Sanctuary Institute for technical assistance.</p>	<p>March 2016</p>	<p>Ongoing</p>	<p>Quality Assurance Staff Development</p>
<p>B. Provide awareness training to staff regarding the phenomenon of secondary trauma, how to identify it and how to manage the trauma.</p>	<p>January 2017</p>	<p>Ongoing</p>	<p>Staff Development</p>
<p>C. Engage staff in dialogue regarding secondary trauma and its effects in focus groups, unit meetings, and other forums to identify and prioritize the top needs staff have.</p>	<p>January 2017</p>	<p>Ongoing</p>	<p>Staff Development</p>

<b>CWS STRATEGY 17:</b> Develop, prioritize, and implement staff retention strategies such as those created by the CFS County Culture/Staff Retention Workgroup.	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): Systemic Factors: Healthy Workforce  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
A. To improve new staff satisfaction, develop a standardized approach to new staff introductions to their new office, such as meet and greets, etc.	June/July 2016	Ongoing	District Operations Staff Development Staff Retention Workgroup
B. To increase numbers of interviewees who accept positions with the agency, provide a tour of the building and an opportunity for the interviewee to talk with a veteran staff person to provide answers to questions they may have about the agency.	August 2016	Ongoing	Staff Retention Workgroup Staff Development
C. Develop strategies for ways that offices can create an inviting and support work atmosphere for employees. Strategies may include developing Social Committees, holding regular staff meetings, and fun activities for staff to be recognized and appreciated.	March 2016	Ongoing	Staff Retention Workgroup
D. Explore ways to recruit more social workers to the agency, considering ways to recruit from colleges and provide orientations to child welfare.	March 2017	Ongoing	Staff Retention Workgroup
E. Continue to conduct employee exit interviews and track trends and results to inform future retention strategies.	January 2016	Ongoing	Quality Assurance

<b>CWS STRATEGY 18:</b> Develop a more effective supervision model that addresses the needs of newly hired social workers in order to support their learning and ensure competency in their child welfare practice.	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): Systemic Factors: Healthy Workforce  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
A. Research and explore supervision models and frameworks and select a model or components of a model to implement.	July 2016	Ongoing	Quality Assurance Staff Development
B. Select supervision model and develop expectations and standards for the model.	September 2016	November 2016	CSAT management team
C. Develop a timeline and strategic plan which includes measures for evaluation and implementation steps.	September 2016	Ongoing	Quality Assurance Staff Development
D. Train supervisors to supervision model.	January 2017	Ongoing	Staff Development
E. Provide coaching and/or on the job training to the supervision model.	January 2017	Ongoing	Staff Development

**PROBATION**

<b>PROBATION STRATEGY 1:</b> Change the culture of the Placement Unit to increase the focus on reunification or other permanency outcome within 12 months	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): P1  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
<b>Action Steps:</b>	<b>Implementation Date:</b>	<b>Completion Date:</b>	<b>Person Responsible:</b>
A. Contact resources in county and in state for information on topic specific training opportunities for staff. Assign staff to attend and participate in training	January 2016	June 2016	Training Unit Supervisor
B. Educate and train DPOs to increase the quality and frequency of contacts with family, relatives and non-relative extended family members through phone calls, letters and emails, and/ or face to face meetings on a monthly basis	January 2016	June 2016	Placement Unit Supervisor & Manager
C. In-house training of placement staff on the use of the Family Findings protocol. Increased use of Family Findings protocol and quicker implementation of the protocol in placement cases	January 2016	June 2016	Placement Unit Supervisor & Manager
D. Probation will explore and test strategies to assure smoother transitions for families when cases are transferred or reassigned between DPOs	July 2016	December 2016	Placement Unit Supervisor & Manager

E. Evaluate results: For each placement youth conduct individual case conferences with the assigned DPO prior to each placement review hearing to determine efforts of DPO	January 2016	Ongoing	Placement Unit Supervisor
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<b>PROBATION STRATEGY 2:</b> Explore ways to educate parents and legal guardians to increase their understanding and involvement in the process of rehabilitation and reunification.	<input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A	Applicable Outcome Measure(s) and/or Systemic Factor(s): P1  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project	
Action Steps:	Implementation Date:	Completion Date:	Person Responsible:
A. A. DPO to increase attempts to contact and engage family, relatives and non-relative extended family members in the rehabilitative process of their children through phone calls, letters and emails, and/ or face to face meetings on a monthly basis	June 2016	Ongoing	Placement DPOs
B. B. Probation will look for ways to inform parents and legal guardians of the existing resources in the community	January 2016	March 2016	Placement DPOs
C. Probation will support parents and legal guardians through referrals to providers of services for housing, employment, parenting classes, counseling and substance abuse treatment.	January 2016	Ongoing	Placement DPOs
D. Provide assistance to youth and families with transportation barriers through financial assistance via STOP funds	January 2016	Ongoing	Placement DPOs

<p>A. Evaluate results: Review case notes and placement review reports prepared for court hearings for activities and efforts put forth by DPOs and families that support reunification or other permanency</p>	<p>January 2016</p>	<p>Ongoing</p>	<p>Placement Unit Supervisor</p>
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<p><b>PROBATION STRATEGY 3:</b> Increase documentation of monthly contacts with youth in CWS/CMS.</p>	<p><input type="checkbox"/> CAPIT <input type="checkbox"/> CBCAP <input type="checkbox"/> PSSF <input checked="" type="checkbox"/> N/A</p>	<p>Applicable Outcome Measure(s) and/or Systemic Factor(s): F2  <input type="checkbox"/> Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project</p>	
<p>Action Steps:</p>	<p>Implementation Date:</p>	<p>Completion Date:</p>	<p>Person Responsible:</p>
<p>A. Arrange for additional trainings on CWS/CMS for our DPOs, unit clerks, the unit supervisor and the manager, and clerks</p>	<p>January 2016</p>	<p>June 2016</p>	<p>Placement Unit Manager</p>
<p>B. Maintain a fully staffed placement Unit</p>	<p>March 2016</p>	<p>Ongoing</p>	<p>Placement Unit Manager</p>
<p>C. Use Safe Measure to identify specific cases that are lacking data entry</p>	<p>January 2016</p>	<p>Ongoing</p>	<p>Placement Unit Manager</p>
<p>D. Use reports obtained from Safe Measures to inform and guide staff's efforts in data entry</p>	<p>January 2016</p>	<p>Ongoing</p>	<p>Placement Unit Supervisor</p>
<p>E. Evaluate results: Use of Safe Measures to monitor progress towards meeting the standard for measure F2</p>	<p>January 2016</p>	<p>Ongoing</p>	<p>Placement Unit Manager</p>

## APPENDIX 2: CAPIT/CBCAP/PSSF PROGRAM AND EVALUATION DESCRIPTIONS

### CROSSROADS HIGH SCHOOL

Line 1 on Expenditure Workbook

#### SERVICE PROVIDER

Mt. Diablo Unified School District

#### PROGRAM DESCRIPTION

The program provides supportive services to pregnant and parenting teen mothers and their children ages one month to three years of age at the Crossroads High School campus. Extended family members, often including teen fathers, are encouraged to participate in support services as well. Programs and services include: a high school diploma program, child care, parenting education, mental health counseling, maternal and reproductive health services, and college and career counseling in a safe and supportive environment.

#### FUNDING SOURCES

SOURCE	LIST FUNDED ACTIVITIES
CAPIT	Child care; mental health counseling; peer support
CBCAP	Early, comprehensive support for new teen parents; development of parenting skills
PSSF Family Preservation	
PSSF Family Support	
PSSF Time-Limited Family Reunification	
PSSF Adoption Promotion and Support	
OTHER Source(s): (Specify)	

#### IDENTIFY PRIORITY NEED OUTLINED IN CSA

Support to parenting and pregnant teens (CSA, pages 32, 57)

#### TARGET POPULATION

Pregnant and parenting teens; at risk youth and their families.

**TARGET GEOGRAPHIC AREA**

Countywide.

**TIMELINE**

July 2015 through June 2017 with an RFP in the spring of 2017. Services likely to continue throughout the SIP period.

**EVALUATION****PROGRAM OUTCOME(S) AND MEASUREMENT & QUALITY ASSURANCE (QA) MONITORING**

Desired Outcome	Indicator	Source of Measure	Frequency
Increased knowledge of parents' role in child development including growth in the child's communication, gross/fine motor skills, and problem solving and personal-social skills.	85% of parents show increase in active engagement with child.	Individual Interviews, Progress Reports, Participation counts monitored by county	Quarterly
Increased confidence and self esteem, including empowerment to share knowledge with peers.	85% of parents show increase in socialization and access to formal and informal resources available.	Individual Interviews, Progress Reports	Quarterly

**CLIENT SATISFACTION**

Method or Tool	Frequency	Utilization	Action
Individual Interviews	Quarterly	Progress on individual needs and goals reviewed with each student in person	Reviewed by Principal, Monitored by county on bi-annual site visits

# THE CHILDREN’S RECOVERY AND FAMILY EDUCATION PROJECT

Line 2 on Expenditure Workbook

## SERVICE PROVIDER

Ujima Family Recovery Services

## PROGRAM DESCRIPTION

The project promotes healthier patterns of behavior by providing supportive services to children ages 6 to 16 that are affected by parental substance abuse issues, and services to their families, including foster and kinship families. The program uses a family-centered, counseling-integrated approach to stabilize families by addressing co-occurring family violence issues, dating/peer violence and the effects of bullying, raise awareness of the effects of addiction and family violence on children and break the generational cycles of violence and substance abuse.

## FUNDING SOURCES

SOURCE	LIST FUNDED ACTIVITIES
CAPIT	Parent education and support, domestic violence services, counseling services, behavioral and mental health services
CBCAP	
PSSF Family Preservation	
PSSF Family Support	
PSSF Time-Limited Family Reunification	
PSSF Adoption Promotion and Support	
OTHER Source(s): County Children’s Trust	Raising awareness of the effects of addiction

## IDENTIFY PRIORITY NEED OUTLINED IN CSA

Domestic violence, alcohol and other drug recovery. (CSA pages 11 ,43, 252)

## TARGET POPULATION

Children who are high risk, minority populations.

## TARGET GEOGRAPHIC AREA

Countywide.

**TIMELINE**

July 2015 through June 2017 with an RFP in the spring of 2017. Services likely to continue throughout the SIP period.

**EVALUATION**

**PROGRAM OUTCOME(S) AND MEASUREMENT & QUALITY ASSURANCE (QA) MONITORING**

Desired Outcome	Indicator	Source of Measure	Frequency
Build resilience in children with substance abusing parents by addressing co-occurring family violence issues, dating/peer violence and the effects of bullying. Education and support to children.	85% of the children of alcoholics/addicts who are in Kids' Groups will receive age-appropriate alcohol and drug education and recovery support in order to sufficiently intervene and diminish the impact of parental substance abuse and violence in their lives.	Pre and post surveys and interviews.	At program entry and exit.
Work with family members to reduce violence in the home and their lives by increasing their awareness of the effects of addiction and violence on children.	85% of the family members who have completed a monthly Family Violence Prevention workshop will show measurable improvement in understanding the effects of addiction and violence on children.	Pre and post surveys and interviews.	At program entry and exit.

**CLIENT SATISFACTION**

Method or Tool	Frequency	Utilization	Action
Kidpower curriculum survey	Pre and post	Surveys reviewed and discussed in counseling or group sessions	Concept reinforcement, goal setting

Expect Respect curriculum survey	Pre and post	Surveys reviewed and discussed in counseling or group sessions	Concept reinforcement, goal setting
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# ARC (ATTACHMENT, SELF-REGULATION AND COMPETENCY) PROJECT

Line 3 on Expenditure Workbook

## SERVICE PROVIDER

YMCA of the East Bay

## PROGRAM DESCRIPTION

The ARC (Attachment, Self-Regulation and Competency) Project, in partnership with Bay Area Community Resources, will provide mental health counseling services to elementary school students at Lake and Downer Elementary Schools in San Pablo, CA who do not qualify for MediCal and their parents/guardians. Through the provision of direct services and advocacy in English and Spanish the Contractor will provide caregivers with support and information to help them with positive, nurturing parenting; provide students with trauma-informed counseling to improve resiliency and emotional and behavioral health; reduce barriers to treatment by offering services at schools, during after school hours and at home; decrease the risk of abuse and neglect among traumatized students and provide services that are culturally and linguistically appropriate. Services will include but are not limited to: home visiting, emotional support, resource coordination, and education.

## FUNDING SOURCES

SOURCE	LIST FUNDED ACTIVITIES
CAPIT	Parent education and support, counseling services
CBCAP	
PSSF Family Preservation	
PSSF Family Support	
PSSF Time-Limited Family Reunification	
PSSF Adoption Promotion and Support	
OTHER Source(s):	

## IDENTIFY PRIORITY NEED OUTLINED IN CSA

Support to families with mental health needs (CSA pages 8, 10,12,57,59, 60, 157, 185, 252)

## TARGET POPULATION

Children who are high risk, minority populations, mono-lingual Spanish speakers.

## TARGET GEOGRAPHIC AREA

San Pablo, CA

**TIMELINE**

July 2015 through June 2017 with an RFP in the spring of 2017. Services likely to continue throughout the SIP period.

**EVALUATION**

**PROGRAM OUTCOME(S) AND MEASUREMENT & QUALITY ASSURANCE (QA) MONITORING**

Desired Outcome	Indicator	Source of Measure	Frequency
Youth in the program will experience an increase in measured resiliency factors, such as connection to positive peers & adults, greater control in life, and increased sense of connection to and safety within their community, school, and family.	80% of youth report an increase in risk avoidance, protective and resiliency factors.	Survey questionnaire	Completed by participants at program exit
Parents/guardians will feel more connected to their child, and will see an improvement in their child's risk avoidance, protective & resiliency factors.	70% of parents report a positive connection to child and perception their child has made improvement in measured assets.	Survey questionnaire	Post services
Parents will feel supported by the clinicians, and will be better connected to services and resources.	70% of parents report a positive and supportive experience with clinicians, and report improvement in connection to services and resources.	Survey questionnaire	Post services
Parents/guardians will have the knowledge, skills and strategies to be effective parents.	80% of families report they have gained or improved the knowledge, skills and	Survey questionnaire	Post services

	strategies to be effective parents.		
Families will have the communication and conflict resolution skills necessary to create positive, safe families.	80% of family's report they have gained or improved their own and family's ability to resolve conflicts and communicate in a positive, safe manner.	Survey questionnaire	Post services
Reduction of internal and external parental/family stressors that interfere with healthy family functioning.	70% of families report a reduction in at least 50% of their internal and/or external stressors that interfere with healthy family functioning.	Survey questionnaire	Post services

#### CLIENT SATISFACTION

Method or Tool	Frequency	Utilization	Action
Survey questionnaire	Post only survey questionnaire completed by participants at program exit	Surveys reviewed by provider/program staff	Program assessment and adjustments made by provider/program staff based on survey results. Bi-annual monitoring visits and program assessment by county staff.

## STRENGTHENING VULNERABLE FAMILIES – SUPPORTIVE SERVICES

Line 4 on Expenditure Workbook

### SERVICE PROVIDER

Contra Costa Interfaith Housing

### PROGRAM DESCRIPTION

The Strengthening Vulnerable Families program provides family-centered, culturally appropriate, evidence-based and trauma-informed services in three main categories to formerly homeless and low-income children and their families in their homes or on-site at the supportive housing apartment complexes. The categories of services are: mental health support, parenting and life skills education, and youth enrichment & afterschool academic support.

### FUNDING SOURCES

SOURCE	LIST FUNDED ACTIVITIES
CAPIT	Parent education and support, counseling services, mental health services
CBCAP	
PSSF Family Preservation	Basic needs, concrete supports, youth programs
PSSF Family Support	
PSSF Time-Limited Family Reunification	
PSSF Adoption Promotion and Support	
OTHER Source(s):	

### IDENTIFY PRIORITY NEED OUTLINED IN CSA

Housing support for families (CSA Parent Stakeholder survey) (CSA pages 10, 12, 13, 23, 35, 57, 59, 128, 147, 225, 227, 251)

### TARGET POPULATION

Formerly homeless and low-income children and their families.

### TARGET GEOGRAPHIC AREA

Garden Park Apartments in the Monument Corridor of Pleasant Hill, CA; Lakeside Apartments in the Monument Corridor of Concord, CA; Bella Monte Apartments in Bay Point, CA; and Los Medanos Village in Pittsburg, CA

### TIMELINE

July 2015 through June 2017 with an RFP in the spring of 2017. Services likely to continue throughout the SIP period.

## EVALUATION

### PROGRAM OUTCOME(S) AND MEASUREMENT & QUALITY ASSURANCE (QA) MONITORING

Desired Outcome	Indicator	Source of Measure	Frequency
Parents will experience an increased sense of mastery and lowered stress levels due to improved self-sufficiency as reported on the Self Sufficiency Matrix , and as reported on progress with family-set goals.	At least 75% of the tenant families served will achieve at least one of their family-set goals.	Survey questionnaire as documented by self-reporting and case notes.	Completed by participants at program entry and exit
Youth will experience an increased sense of confidence and mastery in school work and social skills.	At least 75% of youth who are supported by the Homework Club will demonstrate greater mastery of at least one academic benchmark for K-5 youth.	Survey questionnaire as determined by school report cards and benchmarks/academic goals set in collaboration with their teachers and in relation to the California State Standards for their grade	Completed by participants at program entry and exit
Parents/guardians will have the knowledge, skills and strategies to be effective parents.	At least 80% of the families who participate in the parenting support groups will demonstrate improved parenting skills and increased nurturing skills.	Survey questionnaire as evidenced by post-tests, self reporting and staff observation.	Completed by participants at program entry and exit
Youth will experience an increased sense of confidence and mastery in school work	At least 75% of teen club participants will show improvement in at least one area of their	Survey questionnaire - using a standardized self-esteem evaluation tool called the Piers-Harris test to assess	Completed by participants at program entry and exit

and social skills.	self-concept.	progress. This is a self-report tool that is evidence-based and reliable and has categories of academic status, behavioral adjustment and social success.	
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**CLIENT SATISFACTION**

Method or Tool	Frequency	Utilization	Action
Self Sufficiency Matrix questionnaire	Completed by participants at program entry and exit	Surveys reviewed and discussed in counseling or group sessions and reviewed by staff	Concept reinforcement, goal setting, program assessment
Family-set goals	Completed by participants at program entry	Surveys reviewed and discussed in counseling or group sessions	Concept reinforcement, goal setting, program assessment

# AFTER-SCHOOL PROGRAMS – AMBROSE TEEN CENTER AND GREATER CORONADO ALL THAT COLLABORATIVE

Lines 5 and 6 on Expenditure Workbook

## SERVICE PROVIDER

Ambrose Recreation and Parks District and YMCA of the East Bay

## PROGRAM DESCRIPTION

These programs provide afterschool programs every school day with a variety of age and culturally appropriate activities, including but not limited to homework assistance, silent or group reading, computer class, arts and crafts, spirit leading, outdoor education, nutrition workshops, cooking workshops, Yoga, book clubs, Youth on Course Golf Program, leadership opportunities, structured recreation activities and self esteem building activities.

## FUNDING SOURCES

SOURCE	LIST FUNDED ACTIVITIES
CAPIT	
CBCAP	
PSSF Family Preservation	Youth programs, counseling
PSSF Family Support	
PSSF Time-Limited Family Reunification	
PSSF Adoption Promotion and Support	
OTHER Source(s): State Family Preservation	Counseling, family support

## IDENTIFY PRIORITY NEED OUTLINED IN CSA

Afterschool program (CSA pages 39, 51, 54, 60, 128, 130, 252)

## TARGET POPULATION

Low income youth and their families.

## TARGET GEOGRAPHIC AREA

Bay Point and Richmond, CA.

**TIMELINE**

July 2015 through June 2017 with an RFP in the spring of 2017. Services likely to continue throughout the SIP period.

**EVALUATION****PROGRAM OUTCOME(S) AND MEASUREMENT & QUALITY ASSURANCE (QA) MONITORING**

Desired Outcome	Indicator	Source of Measure	Frequency
Increased knowledge of communication skills, problem solving and personal-social skills for youth.	Ninety percent (90%) of after school and day camp participants will be able to safely work through conflicts with their peers.	Pre and post testing.	Quarterly
Increased confidence and self esteem for youth.	Eighty percent (80%) of parents will report that their child feels more confident in his/her abilities and feels safe in their after school or day camp program.	Parent and participant surveys.	Quarterly

**CLIENT SATISFACTION**

Method or Tool	Frequency	Utilization	Action
Individual Interviews	Monthly	Progress reviewed with each student in person	Individual needs and goals assessed and modified as needed.
Parent and participant surveys.	Quarterly	Responses reviewed as received	Feedback reviewed and considered by staff to improve ongoing operations.

## PARENTING CLASSES

Lines 7 and 8 on Expenditure Workbook

### SERVICE PROVIDER

Counseling Options & Parent Education, Inc. (COPE) and STAND! for Families Free of Violence (STAND!)

### PROGRAM DESCRIPTION

Triple P Positive Parenting Levels 4 and 5 in English, Spanish and Arabic, Triple P support groups, Supporting Fatherhood Involvement parenting classes (all provided by COPE) and Nurturing Parents parenting classes (provided by STAND!) in English and Spanish. The overall Triple P program is a multi-tiered system of 5 levels of education and support for parents and caregivers of children and adolescents. Triple P helps parents learn strategies that promote social competence and self-regulation in children. Supporting Fatherhood Involvement (SFI) is a preventive intervention designed to enhance fathers' positive involvement with their children. The curriculum is based on an empirically-validated family risk model. The Nurturing Parenting curriculum is designed to build nurturing parenting skills that break the intergenerational cycle of child maltreatment and dysfunction. The program provides support and resources for parents.

### FUNDING SOURCES

SOURCE	LIST FUNDED ACTIVITIES
CAPIT	
CBCAP	
PSSF Family Preservation	
PSSF Family Support	Parenting education
PSSF Time-Limited Family Reunification	
PSSF Adoption Promotion and Support	
OTHER Source(s):	

### IDENTIFY PRIORITY NEED OUTLINED IN CSA

Evidence based parenting classes to support families with children with special needs (CSA pages 29, 32, 57, 60, 128, 225, 252, 254)

### TARGET POPULATION

At risk families. Monolingual Spanish and Arabic speaking families. Low income families.

### TARGET GEOGRAPHIC AREA

Antioch, Concord, Bay Point and Richmond, CA.

**TIMELINE**

July 2015 through June 2017 with an RFP in the spring of 2017. Services likely to continue throughout the SIP period.

**EVALUATION**

**PROGRAM OUTCOME(S) AND MEASUREMENT & QUALITY ASSURANCE (QA) MONITORING**

Desired Outcome	Indicator	Source of Measure	Frequency
Increased parenting skills.	Ninety percent (90%) of parents attending Triple P or SFI parenting classes will improve their parenting skills, including a reduction in dysfunctional discipline practices and an increase in parent’s sense of confidence.	Pre and post testing.	Quarterly Weekly
Increased knowledge of child development and needs.	Eighty percent (80%) of parents attending Nurturing Parenting classes will demonstrate a stronger understanding of the dynamics of healthy relationships and increased knowledge of the emotional and cognitive effects on children who witness violence.	Parent and participant surveys.	Quarterly Weekly

**CLIENT SATISFACTION**

Method or Tool	Frequency	Utilization	Action
Adult Adolescent Parenting Inventory	Pre and post Nurturing Parenting services.	Surveys reviewed after each session.	Effectiveness of program evaluated.
Parent and participant surveys.	Pre and post Triple P and SFI services.	Surveys reviewed after each session.	Effectiveness of program evaluated.

# COMMUNITY BASED SUPERVISED VISITATION

Line 9 on Expenditure Workbook

## SERVICE PROVIDER

EMQ Families First

## PROGRAM DESCRIPTION

This program provides a safe, comfortable and accessible environment in which supervised visits can take place between children and families **at their designated locations or in the community**. Priority goes to families in Family Reunification. Community based visitation offers availability of frequent visits with flexible scheduling opportunities outside of the normal workday hours, such as late afternoon, evenings and weekends.

## FUNDING SOURCES

SOURCE	LIST FUNDED ACTIVITIES
CAPIT	
CBCAP	
PSSF Family Preservation	
PSSF Family Support	
PSSF Time-Limited Family Reunification	Parent visitation
PSSF Adoption Promotion and Support	
OTHER Source(s): State Family Preservation	Family reunification, parenting

## IDENTIFY PRIORITY NEED OUTLINED IN CSA

Service for families to support timely family reunification. Foster healthy supportive relationship between parents and children. (CSA pages 9, 12, 116, 146, 167, 215)

## TARGET POPULATION

Children and families involved with Children and Family Services.

## TARGET GEOGRAPHIC AREA

Countywide.

## TIMELINE

July 2015 through June 2017 with an RFP in the spring of 2017. Services likely to continue throughout the SIP period.

## EVALUATION

### PROGRAM OUTCOME(S) AND MEASUREMENT & QUALITY ASSURANCE (QA) MONITORING

Desired Outcome	Indicator	Source of Measure	Frequency
Safe and timely reunification.	Eighty percent (80%) of visiting families will transition to less restrictive visits with the goal of reunifying.	Observation sheets and recommendations to court.	After each supervised visit.

### CLIENT SATISFACTION

Method or Tool	Frequency	Utilization	Action
Observation sheet.	After each supervised visit.	Observation notes reviewed by CFS staff and court.	Recommendations to court for reunification of families.

## REACH AND POST ADOPTIONS EDUCATION LIAISON

Lines 10 and 11 on Expenditure Workbook

### SERVICE PROVIDER

AspiraNet and Stephanie Scholer

### PROGRAM DESCRIPTION

REACH Contra Costa (**R**eaching Out to Assist Post-Adoption Families by Providing: **R**esources, **E**ducation, **A**dvocacy, **C**risis Counseling, and **H**ope – **REACH**) provides comprehensive, no-cost, pre and post adoption outreach and advocacy, information and referral, crisis intervention, case management, and socialization services to families in Contra Costa County who have adopted or are adopting. The Post Adoptions Educational Liaison is knowledgeable of the education system and the dynamics of adoptive families and works closely with the County's Adoptions Unit to improve educational accomplishments and opportunities for children who have been adopted or are in the process of being adopted through the Contra Costa County Employment and Human Services Department.

### FUNDING SOURCES

SOURCE	LIST FUNDED ACTIVITIES
CAPIT	
CBCAP	
PSSF Family Preservation	
PSSF Family Support	
PSSF Time-Limited Family Reunification	
PSSF Adoption Promotion and Support	Basic needs, concrete supports, case management
OTHER Source(s):	

### IDENTIFY PRIORITY NEED OUTLINED IN CSA

Support to families with children with special needs (CSA Stakeholder and parent survey) (CSA pages 29, 32, 57, 60, 128, 225, 252, 254)

Support for families with children with mental health needs (CSA Stakeholder survey) (CSA pages 8, 10, 12, 57, 59, 60, 157, 185, 252)

### TARGET POPULATION

Families who have adopted or are adopting.

### TARGET GEOGRAPHIC AREA

Countywide.

**TIMELINE**

July 2015 through June 2017 with an RFP in the spring of 2017. Services likely to continue throughout the SIP period.

**EVALUATION**

**PROGRAM OUTCOME(S) AND MEASUREMENT & QUALITY ASSURANCE (QA) MONITORING**

Desired Outcome	Indicator	Source of Measure	Frequency
Increased knowledge of child development and needs.	Ninety percent (90%) of families receiving adoption education will show improvement in knowledge of the adoption-related topic.	Pre and post surveys.	Completed by participants at program entry and exit.
Increased family stability.	Eighty percent (80%) of families receiving adoption support and/or crisis intervention services will show improvement in stability and safety.	Periodic satisfaction surveys. Individualized support plans.	Completed by participants at program entry and exit and reviewed as needed throughout program involvement.

**CLIENT SATISFACTION**

Method or Tool	Frequency	Utilization	Action
Parent and participant surveys.	Pre and post services.	Surveys reviewed after completion.	Effectiveness of program evaluated.

# APPENDIX 3: CAPIT/CBCAP/PSSF EXPENDITURE WORKBOOKS

## CAPIT/CBCAP/PSSF Expenditure Workbook Proposed Expenditures Worksheet 1

Appendix 3

(1) DATE SUBMITTED: _____		(2) DATES FOR THIS WORKBOOK: 7/1/15 thru 6/30/16				(3) DATE APPROVED BY OCAP: _____		
(4) COUNTY: <u>Contra Costa</u>		(5) PERIOD OF SIP: 1/2/16 thru 1/1/21				(6) YEARS: <u>5</u>		Internal Use Only
(7) ALLOCATED: (Use the latest Fiscal or All County Information Notice for Allocation):				CAPIT: 5	319,489	CBCAP: 541,869	PSSF: 5631,189	

No.	Program Name	Applies to CBCAP Programs Only	Name of Service Provider	Service Provider is Unknown, Date Revised Workbook to be Submitted to OCAP	CAPIT		CBCAP		PSSF						OTHER SOURCES	NAME OF OTHER	TOTAL
					Dollar amount to be spent on CAPIT Programs	CAPIT is used for Administration	Dollar amount to be spent on CBCAP Programs	CBCAP is used for Administration	Dollar amount to be spent on Family Preservation	Dollar amount to be spent on Family Support	Dollar amount to be spent on Licensed Residential	Dollar amount to be spent on Adoption Promotion & Support	Dollar amount to be spent on Adoption Promotion & Support of children (I-C)	PSSF is used for Administration			
A	B	C	D1	D2	E1	E2	F1	F2	G1	G2	G3	G4	G5	G6	H1	H2	I
1	Crossroads High School	Parent Leadership	Mt. Diablo Unified School District		\$37,570			\$42,000		\$0	\$0	\$0	\$0	\$0	\$0		\$79,570
2	The Children's Recovery and Family Education Project		Ujima Family Recovery Services		\$70,000			\$0		\$0	\$0	\$0	\$0	\$0	\$10,000	County Children's Trust	\$80,000
3	ARC (Attachment, Self-Regulation and Competency framework)		YMCA of the East Bay		\$100,000			\$0		\$0	\$0	\$0	\$0	\$0	\$0		\$100,000
4	Strengthening Vulnerable Families		Contra Costa Interfaith Housing		\$80,000			\$0	\$86,392	\$0	\$0	\$0	\$86,392	\$0	\$0		\$166,392
5	Ambrose Teen Center		Ambrose Recreation and Parks District		\$0			\$0	\$71,267	\$0	\$0	\$0	\$71,267	\$0	\$0		\$71,267
6	Greater Concord All That Family Preservation Collaborative		YMCA of the East Bay		\$0			\$0	\$17,275	\$0	\$0	\$0	\$17,275	\$67,725	State Family Preservation		\$85,000
7	Parenting Classes - Triple P and SFI		Counseling Options & Parent Education, Inc.		\$0			\$0	\$0	\$82,744	\$0	\$0	\$82,744	\$0	\$0		\$82,744
8	Parenting Classes - Nurturing Parent Program		STAND! For Families Free of Violence		\$0			\$0	\$0	\$78,044	\$0	\$0	\$78,044	\$0	\$0		\$78,044
9	Supervised Visitation		EMQ Families First		\$0			\$0	\$0	\$0	\$135,000	\$0	\$135,000	\$15,000	State Family Preservation		\$150,000
10	REACH		Aspirant		\$0			\$0	\$0	\$0	\$0	\$115,267	\$115,267	\$0	\$0		\$115,267
11	Post-Adoption Education Liaison		Stephanie Scholer		\$0			\$0	\$0	\$0	\$0	\$44,996	\$44,996	\$0	\$0		\$44,996

Rev. 9/2013

## CAPIT/CBCAP/PSSF Expenditure Workbook Proposed Expenditures Worksheet 1

Appendix 3

No.	Program Name	Applies to CBCAP Programs Only	Name of Service Provider	Service Provider is Unknown, Date Revised Workbook to be Submitted to OCAP	CAPIT		CBCAP		PSSF						OTHER SOURCES	NAME OF OTHER	TOTAL
					Dollar amount to be spent on CAPIT Programs	CAPIT is used for Administration	Dollar amount to be spent on CBCAP Programs	CBCAP is used for Administration	Dollar amount to be spent on Family Preservation	Dollar amount to be spent on Family Support	Dollar amount to be spent on Licensed Residential	Dollar amount to be spent on Adoption Promotion & Support	Dollar amount to be spent on Adoption Promotion & Support of children (I-C)	PSSF is used for Administration			
A	B	C	D1	D2	E1	E2	F1	F2	G1	G2	G3	G4	G5	G6	H1	H2	I
12					\$0			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
13					\$0			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
14					\$0			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
15					\$0			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
	<b>Totals</b>				\$287,570			\$42,000	\$175,034	\$168,792	\$135,000	\$168,392	\$631,189	\$92,725			\$1,053,484
									28%	35%	21%	25%	100%				

Rev. 9/2013



# APPENDIX 4: NOTICE OF INTENT

STATE OF CALIFORNIA – HEALTH AND HUMAN SERVICES AGENCY    CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

BOS NOTICE OF INTENT

THIS FORM SERVES AS NOTIFICATION OF THE COUNTY'S INTENT TO MEET ASSURANCES FOR THE CAPIT/CBCAP/PSSF PROGRAMS.

## CAPIT/CBCAP/PSSF PROGRAM FUNDING ASSURANCES FOR CONTRA COSTA COUNTY

PERIOD OF PLAN 01/02/2016 THROUGH 01/02/2021

### DESIGNATION OF ADMINISTRATION OF FUNDS

The County Board of Supervisors designates Contra Costa County Children & Family Services as the public agency to administer CAPIT and CBCAP.

**W&I Code Section 16602 (b)** requires that the local Welfare Department administer the PSSF funds. The County Board of Supervisors designates Contra Costa County Children & Family Services as the local welfare department to administer PSSF.

### FUNDING ASSURANCES

The undersigned assures that the Child Abuse Prevention, Intervention and Treatment (CAPIT), Community Based Child Abuse Prevention (CBCAP), and Promoting Safe and Stable Families (PSSF) funds will be used as outlined in state and federal statute<sup>1</sup>:

- Funding will be used to supplement, but not supplant, existing child welfare services;
- Funds will be expended by the county in a manner that will maximize eligibility for federal financial participation;
- The designated public agency to administer the CAPIT/CBCAP/PSSF funds will provide to the OCAP all information necessary to meet federal reporting mandates;
- Approval will be obtained from the California Department of Social Services (CDSS), Office of Child Abuse Prevention (OCAP) prior to modifying the service provision plan for CAPIT, CBCAP and/or PSSF funds to avoid any potential disallowances;
- Compliance with federal requirements to ensure that anyone who has or will be awarded funds has not been excluded from receiving Federal contracts, certain subcontracts, certain Federal financial and nonfinancial assistance or benefits as specified at <http://www.epls.gov/>.

In order to continue to receive funding, please sign and return the Notice of Intent with the County's System Improvement Plan to:

California Department of Social Services  
Office of Child Abuse Prevention  
744 P Street, MS 8-11-82  
Sacramento, California 95814

\_\_\_\_\_  
County Board of Supervisors Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title





Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: April 12, 2016

Subject: APPROVE and AUTHORIZE Advertisement for the Expansion of the Family Practice Clinic, 2311 Loveridge Road, Pittsburg (WW0859)

**RECOMMENDATION(S):**

(1) APPROVE the design and bid documents, including the plans and specifications, for the Expansion of the Family Practice Clinic, 2311 Loveridge Road, Pittsburg, for the Health Services Department.

(2) DETERMINE that the project qualifies for a California Environmental Quality Act (CEQA) Class 1(a) Categorical Exemption pursuant to Article 19, Section 15301(a) of the CEQA Guidelines; DIRECT the Director of Conservation and Development, or designee, to promptly file a Notice of Exemption with the County Clerk; and AUTHORIZE the Public Works Director, or designee, to arrange for payment of the \$50 handling fee to the County Clerk for filing the Notice of Exemption and the \$25 handling fee to the Department of Conservation and Development for processing costs.

(3) AUTHORIZE the Public Works Director, or designee, to solicit bids to be received on or about May 19, 2016, and issue bid addenda, as needed, for clarification of the bid documents, provided the involved changes do not significantly increase the construction cost estimate.

(4) DIRECT the Clerk of the Board to publish, at least 14 calendar days before the bid opening date, the Notice to Contractors in accordance with Public Contract Code Section 22037, inviting bids for this project.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Ramesh Kanzaria, (925)  
313-2000

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

By: , Deputy

cc: PW Accounting, PW CPM Division Manager, PW CPM Project Manager, PW CPM Clerical, Auditor's Office, County Counsel's Office, County Administrator's Office, County Administrator's Office

RECOMMENDATION(S): (CONT'D)

(5) DIRECT the Public Works Director, or designee, to send notices by email or fax and by U.S. Mail to the construction trade journals specified in Public Contract Code Section 22036 at least 15 calendar days before the bid opening.

FISCAL IMPACT:

100% Funding from Enterprise I Patient Revenues.

BACKGROUND:

The Affordable Care Act and other recent legislation have resulted in a significant increase in the number of Contra Costa residents who are eligible for subsidized County health services. The proposed expansion at the Pittsburg Health Center will provide the resources required to meet this demand.

The project includes remodeling of approximately 5,900 square feet of interior clinic space located on the 2nd floor of the Pittsburg Health Center at 2311 Loveridge Road, Pittsburg. The scope of work will include demolition of existing interior walls and, construction of new walls, ceilings, flooring, lighting, plumbing, mechanical and electrical work.

Plans and specifications for the project have been prepared for the Public Works Department by The Ratcliff Architects. The construction cost estimate is \$2,064,000 and the general prevailing wage rates are on file with the Clerk of the Board of Supervisors and will be the minimum rates paid on this project.

CONSEQUENCE OF NEGATIVE ACTION:

If the project is not approved, the facility will be unable to meet the needs of the increased number of Contra Costa County residents eligible for subsidized health services.



Contra  
Costa  
County

To: Board of Supervisors  
From: Joseph E. Canciamilla, Clerk-Recorder  
Date: April 12, 2016

Subject: Consolidation Requests for the June 7, 2016 Primary Election

---

**RECOMMENDATION(S):**

APPROVE election consolidation requests from each jurisdiction that has filed a resolution with the County Clerk-Recorder, Elections Division, to consolidate their elections with the June 7, 2016 Primary Election and AUTHORIZE the County Clerk-Recorder, Elections Division, to conduct elections for those jurisdictions: City of Clayton, Community Facilities District 2007-1; City of Oakley, City of Richmond, City of Antioch, City of Orinda, City of Pittsburg, Brentwood Union School District, Lafayette School District, Walnut Creek School District, San Francisco Bay Restoration Authority, Chabot-Las Positas Community College District, and the Livermore Valley Joint Unified School District.

**FISCAL IMPACT:**

There is no direct cost to the County. Any additional cost incurred by the Elections Division will be recovered from each City, School District, and Special District.

**BACKGROUND:**

Records indicate that some entities have filed a resolution with the Clerk of the Board of Supervisors requesting the consolidation (copies attached of all resolutions) with the primary Election. Granting the requests will allow the County Elections Division to consolidate the Districts' and Cities' elections with the County Primary Election, which may reduce taxpayer costs.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Rosa Mena,  
925.335.7806

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Not approving the requests will require each City, School, and Special District to conduct its own election, at a likely higher cost.

ATTACHMENTS

- City of Clayton
- City of Oakley Resolution
- City of Richmond (1)
- City of Richmond (2)
- City of Antioch (1&2)
- City of Orinda
- City of Pittsburg
- Brentwood School Dist
- Lafayette School Dist
- Walnut Creek School Dist
- San Francisco Bay Restoration Authority
- Chabot Las Positas Comm College
- Livermore Valley JointUSD

**RESOLUTION NO. 12 - 2016**

**A RESOLUTION CALLING AN ELECTION TO CONTINUE  
THE EXISTING SPECIAL PARCEL TAX SUBJECT TO THE SAME  
ADJUSTMENT METHODOLOGY FOR  
COMMUNITY FACILITIES DISTRICT (CFD) 2007-1  
"CITYWIDE TRAILS AND LANDSCAPE MAINTENANCE DISTRICT"  
FOR TEN YEARS**

**THE CITY COUNCIL  
City of Clayton, CA  
Community Facilities District 2007-1  
[Citywide Trails and Landscape Operation and Maintenance District]**

**WHEREAS**, the City of Clayton has established Community Facilities District 2007-1 [Citywide Trails and Landscape Operations and Maintenance District] ("CFD") within the City of Clayton, authorized the levy of a special parcel tax on real property within the CFD and established an initial appropriations limit for the CFD; and

**WHEREAS**, the special tax levied within the CFD is set to expire in Fiscal Year 2016/2017; and

**WHEREAS**, on January 19, 2016, the City Council adopted Resolution No. 07-2016, a Resolution of Consideration, to continue the existing special parcel tax within the CFD for ten years from Fiscal Year 2017/2018 (i.e., beginning July 1, 2017) through Fiscal Year 2026/2027 (i.e., ending June 30, 2027); and

**WHEREAS**, the City Council scheduled a public hearing on such proposed special parcel tax continuance for March 1, 2016; and

**WHEREAS**, at the DULY-NOTICED public hearing, less than a majority of affected property owners protested the extension of the special parcel tax; and

**WHEREAS**, the City Council wishes to submit the proposed special parcel tax continuance to the voters as required by Government Code section 53338.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON THAT:**

**SECTION 1. Findings and Background.** The City Council finds that the preceding recitals are correct and are incorporated into this Resolution.

**SECTION 2. Determinations.** It is hereby determined by this City Council that:

- A. All prior proceedings pertaining to the formation of the CFD and continuation of the special parcel tax proposed herein were valid and taken in conformity with the requirements of the law, and specifically the provisions of the Community Facilities District Law.

- B. The written protests received, if any, do not represent a majority protest as defined by the applicable provisions of the Community Facilities District Law and, therefore, the special parcel tax proposed to be extended has not been precluded by majority protest pursuant to Section 53337 of the Government Code.
- C. The City Council now submits the question of whether to continue the special parcel tax within the CFD as set forth herein to the registered voters of the CFD as required by Government Code section 53326. Each registered voter within the CFD shall be entitled to one vote. The Special Parcel Tax will be approved if two-thirds of the votes cast upon the question of levying the special parcel tax are in favor of levying the special parcel tax.
- D. The City of Clayton boundaries are the same as those in the previous City election.

**SECTION 3. Election.** The City Council hereby calls an election on June 7, 2016 and submits the extension of the levy of the existing special parcel tax within the CFD to the qualified electors of the CFD. As set forth in the Resolution of Consideration, Resolution No. 07-2016, the City Council proposes continuing the existing special parcel tax, at its current and existing rate and method of apportionment, for ten years from Fiscal Year 2017/2018 through Fiscal Year 2026/2027 ("Special Tax"). As such, all references to the expiration or term of the Special parcel Tax in the rate and method of apportionment shall reflect the new expiration date of Fiscal Year 2026/2027. The rate and method of apportionment for the Special Parcel Tax, subject to the continued term set forth in this section, is more particularly described and set forth in Resolutions No. 06-2007 and 07-2007.

**SECTION 4. Election Consolidation.** The City requests the Contra Costa County Board of Supervisors consolidate the election on the Special Parcel Tax with the Statewide election on June 7, 2016. The City requests and authorizes the Contra Costa County elections official to provide the services necessary to implement the election and to consolidate the election on the June 7, 2016 Election Ballot for the County of Contra Costa. The elections official is hereby authorized to take any and all steps necessary for holding the above election. The elections official shall perform and render all services and proceedings incidental to and connected with the conduct of the election, including but not limited to, the following:

- A. Prepare and furnish the necessary election supplies for the conduct of the election.
- B. Cause to be printed the requisite number of official ballots, tally sheets and other necessary forms.
- C. Furnish official ballots for the qualified electors of the CFD.

- D. Cause the official ballots to be presented to the qualified electors, as required by law.
- E. Receive the returns of the election and supplies.
- F. Sort and assemble the election material and supplies in preparation for the canvassing of the returns.
- G. Canvass the returns of the election.
- H. Furnish a tabulation of the number of votes given in the election.
- I. Conduct and handle all other matters relating to the proceedings and conduct of the election in the manner and form as required by law

**SECTION 5. Ballot Measure.** Pursuant to Elections Code section 10403, the ballot forms shall have printed on them the following words with regard to the measure:

<b>CITY OF CLAYTON - MEASURE: ____.</b>		
<b>CITYWIDE TRAILS AND LANDSCAPE MAINTENANCE DISTRICT CONTINUATION OF EXISTING SERVICES AND SPECIAL PARCEL TAX</b>  Shall the existing Community Facility District 2007-1 (Trails and Landscape Maintenance District) be continued, with a Citizens Oversight Committee, for ten years to fund on-going operations and maintenance of the trails system, roadway landscape, open space weed abatement, and related expenses at the current annual special tax's rate and methodology (presently \$234.84/year per residential and non-residential parcel or fraction thereof), for FYs 2017-2027?	<b>YES</b>	
	<b>NO</b>	

**SECTION 6. Impartial Analysis.** Pursuant to Government Code section 53327 and Elections Code section 9280, the City Clerk shall transmit a copy of the measure to the City Attorney, who shall prepare an impartial analysis of the measure showing the effect of the measure on existing law and the operation of the measure. The impartial analysis shall be filed with the City Clerk by March 18, 2016.

**SECTION 7. Ballot Arguments.** Arguments in favor of and in opposition to the ballot measure and rebuttal arguments shall be permitted, and the City hereby adopts the provisions of Elections Code sections 9282 and 9285(a), regarding the acceptance of arguments relating to ballot measures. Primary arguments shall be filed with the City Clerk by March 23, 2016. Rebuttal arguments shall be filed with the City Clerk by March 28, 2016.

**SECTION 8. Special Parcel Tax Accountability Measures.** Pursuant to and in compliance with the provisions of Government Code Section 50075.1, this Board hereby establishes the following accountability measures pertaining to the levy by the CFD of the proposed Special Tax:

- A. The Special Parcel Tax shall be levied for the specific purposes set forth in the Resolution of Consideration and Section 9 below.
- B. The proceeds of the levy of each such special parcel tax shall be applied only to the specific applicable purposes set forth in the Resolution of Consideration (Resolution No. 07-2017) and Section 9 below.
- C. The City shall establish a separate account into which the proceeds of the Special Parcel Tax shall be deposited.
- D. The City Manager or his or her designee, acting for and on behalf of the CFD, shall annually file a report with the City Council as required pursuant to Government Code Section 50075.3.

**SECTION 9. Additional Actions.** The City Manager and City Clerk are hereby authorized and directed to take all necessary and appropriate steps to place the measure on the ballot. The City may recover the costs of the election and related procedures to place the Special Parcel Tax on the ballot from the proceeds of such Special Parcel Tax or the existing special parcel tax as an incidental expense of the CFD. The City Council hereby amends Exhibit "A" of Resolution No. 06-2007 to clarify that the election expenses set forth in this Section as permissible costs of the operation and maintenance of the Citywide Trails and Landscape District.

**SECTION 10. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Clayton, California, at a regular public meeting thereof held on March 1, 2016 by the following vote:

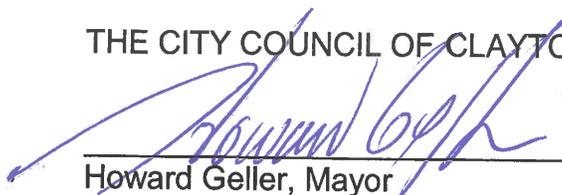
AYES: Mayor Geller, Vice Mayor Diaz, Councilmembers Haydon, Pierce and Shuey.

NOES: None.

ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA

  
 \_\_\_\_\_  
 Howard Geller, Mayor

ATTEST:

  
 \_\_\_\_\_  
 Janet Brown, City Clerk

I certify that the foregoing resolution was duly and regularly passed by the City Council of the City Clayton at a regular meeting held on March 1, 2016.



---

Janet Brown, City Clerk

CITY COUNCIL  
Kevin Romick, Mayor  
Sue Higgins, Vice-Mayor  
Vanessa Perry  
Randy Pope  
Doug Hardcastle



CITY HALL  
3231 Main Street  
Oakley, CA 94561  
925.625.7000 tel  
925.625.9859 fax  
www.ci.oakley.ca.us

---

February 29, 2016

Contra Costa County Elections Division  
Attn: Rosa Mena  
555 Escobar Street  
Martinez, CA 94553

**Re: City of Oakley Library Ballot Measure for June 2016 Election**

Dear Rosa:

This letter confirms that the City of Oakley provided Resolution No. 24-16 to the Contra Costa County Elections Division on Thursday, February 25, 2016 on which date you notified me that certain revisions are required for the requested library measure to appear on the June 2016 ballot. In a follow up conversation with our City Attorney today, you advised we could document the revisions by providing a letter for your file. Please allow this letter to serve such purpose.

The following revision has been made to Resolution 24-16 (enclosed):

- The City of Oakley agrees that in Section 12 of enclosed Resolution No. 24-16, Amador County should be changed to Contra Costa County. This was a scrivener's error. The intent of the Oakley City Council is to have Section 12 state ... "Registrar of Voters of Contra Costa County..."

The City of Oakley is in agreement that the library ballot measure requires 2/3 vote or majority to pass.

The verbiage in Section 15 of the Resolution shall remain unmodified. The City requests the Elections Official publish only the following portions of the Resolution as the measure text to be published in the Voter's Pamphlet: The title of the Resolution, all "Whereas" clauses, Sections 1 through 8 of the Resolution, and the adoption block and signatures/attestations provided in the Resolution.

Please contact me immediately if you have any questions or comments at [vreonis@ci.oakley.ca.us](mailto:vreonis@ci.oakley.ca.us) or (925) 625-7013.

Kind regards,

A handwritten signature in black ink, appearing to read "Libby Vreonis", with a long horizontal flourish extending to the right.

Libby Vreonis  
City Clerk

Enclosure

**RESOLUTION NO. 24-16**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY  
AUTHORIZING THE IMPOSITION OF A SPECIAL TAX ON PARCELS OF  
PROPERTY TO FINANCE THE CONSTRUCTION AND FURNISHING OF A  
DOWNTOWN LIBRARY AND CALLING FOR AN ELECTION THEREON**

**WHEREAS**, in 1999, Oakley's Community Library moved to Freedom High School with the expectation that this move would be a temporary one;

**WHEREAS**, nearly 17 years later, the Library continues to be located at Freedom High School, and because limitations due to this location, is unable to provide the desired levels of collection, technology, space, parking, and visibility;

**WHEREAS**, the current location of the Library has no community meeting rooms; the Library has only one electrical outlet, leaving insufficient ability for persons to use laptops, tablets, and other technology; its shelf space is exhausted and it has no quiet study/work spaces; and family programming time is limited, as it must be scheduled after school hours;

**WHEREAS**, in light of these limitations, the City, with considerable stakeholder and public input, undertook an exhaustive process to evaluate the possibility of constructing and financing a new, stand-alone library;

**WHEREAS**, this evaluation has shown that a new, stand-alone library with 20,000 square feet of space can be constructed in downtown Oakley, immediately next to City Hall;

**WHEREAS**, preliminary architectural renderings for the new Downtown Library have been prepared and a financial evaluation has determined the cost to design, construct, and furnish the new Library would cost \$12 million;

**WHEREAS**, to finance the cost for this new library, the City has determined it is necessary to impose a monthly tax on every parcel within the City of \$7.75; and

**WHEREAS**, in proposing that the voters of the City consider such a special tax, the City Council finds that the adoption of this resolution and other City acts necessary to present the proposed tax to City voters are purely electoral and financial matters and thus are not a "project," as provided for in California Environmental Quality Act Guideline section 15378(b)(3) and (4).

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLEY  
HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:**

**SECTION 1. ENACTMENT OF SPECIAL TAX**

As provided for in Chapter 7 to Title 3 of the Oakley Municipal Code, and if approved by the voters in the manner provided for below, there is hereby enacted within the City a special tax in the amount \$7.75 per month on every parcel of property located within the City for the purposes set forth in Section 2.

**SECTION 2. PURPOSES OF SPECIAL TAX**

The purpose of the special tax authorized herein shall be to provide funding for the planning, environmental, engineering, administrative, and architectural services necessary to construct and operate the Downtown Library, as well as the construction and furnishing of the Library. All proceeds from the special tax authorized herein shall be used exclusively for these purposes only.

**SECTION 3. METHOD OF COLLECTION**

The City hereby directs the Contra Costa County Treasurer/Tax Collector to collect the special tax authorized herein for the initial Fiscal Year 2016-2017, on the same tax roll at the same time and in the same manner, and subject to the same penalties as the property taxes fixed and collected by the County on behalf of the City. The County may deduct its reasonable costs incurred for such services before remittal to the District.

The special tax, together with all penalties and interest thereon, shall constitute a lien upon each parcel of property upon which it is levied until it has been paid, and such special tax, together with all penalties and interest thereon, shall, until paid, constitute a personal obligation to the City by the person(s) who own(s) the parcel of property on the date the special tax is due.

**SECTION 4. EFFECTIVE DATE OF SPECIAL TAX**

The special tax shall become effective following the approval of this resolution and subsequent approval by two-thirds of voters voting on proposition set forth in Section 9. If approved, the special tax shall be collected beginning in fiscal year 2016-17. The tax shall be continued to be collected for 30 years.

**SECTION 5. SPECIAL ACCOUNT**

Upon the effective date of this special tax, the City is hereby directed to create a separate account into which all revenue raised by the special tax shall be placed. Should any surplus money be generated by this special tax in any year, such surplus shall be expended in the following year, in the discretion of the City

Council, only for the purposes stated in Section 2. In no event shall surplus money generated by this special tax be used for any purpose other than as authorized herein.

**SECTION 6. ANNUAL REPORT**

The City shall cause a report to be filed with the City Council no later than June 30 of each year, commencing on June 30, 2018, and at least once a year thereafter, which shall contain both of the following: (i) the amount of funds collected and expended under this Resolution; and (ii) the status of any project required or authorized to be funded to carry out the purposes set forth in this Resolution.

**SECTION 7. EXEMPTIONS**

The special tax authorized herein shall not be imposed upon a federal or state agency, any local agency, or any parcel of property which is exempt from ad valorem taxes under any other applicable law.

**SECTION 8. APPROPRIATIONS LIMIT**

To the extent the Board proposes to increase the City's spending limit under Article XIIB of the California Constitution, this resolution authorizes the increase of that limit by an amount equal to the proceeds of the taxes for the first year the special tax authorized herein is imposed.

**SECTION 9. CALL FOR ELECTION**

An election is called for June 7, 2016 to consider the following question:

<i>To replace the small, outdated Oakley Library currently utilizing a portion of Freedom High School and construct and operate a new Library and Community Learning Center downtown, shall the ordinance establishing a \$7.75 per month per parcel Library Development Tax be adopted, raising approximately one million one hundred thousand dollars annually, for thirty years starting fiscal year 2016/17, with independent financial audits ensuring funds are spent only on the Oakley Library and Community Learning Center?</i>	<b>YES</b>	
	<b>NO</b>	

**SECTION 10. CONSOLIDATION**

Pursuant to Part 3, commencing with Section 10400, Division 10 of the Elections Code, the Contra Costa County Registrar of Voters is requested to consolidate

this election with other elections held on the same day in the same territory or in the territory that is in part the same.

#### SECTION 11. COUNTY ADMINISTRATION OF ELECTION

Pursuant to Section 10002 of the Elections Code, the City Council hereby request the Board of Supervisors of Contra Costa County to permit the County Elections Official to render services necessary to place this measure on the ballot of the next general municipal election and to conduct the election of this ballot measure. The City Council recognizes that additional costs may be incurred by the County by reason of these services and agrees to reimburse the County for these costs.

#### SECTION 12. CONDUCT OF ELECTION

The election on this measure shall be held, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, the returns made, and a result ascertained and determined, and all other proceedings conducted in connection with the election, under the regulations of the Registrar of Voters of Contra Costa County, in accordance with the provisions of the law governing general municipal elections in general law cities.

#### SECTION 13. ARGUMENTS IN FAVOR OR IN OPPOSITION

Anyone may submit primary arguments on this ballot measure pursuant to Election Code Section 9280, et. seq. Such primary arguments shall not exceed 300 words in length and shall be submitted to the City Clerk no later than 5:00 p.m. on March 23, 2016. Anyone may submit rebuttal arguments to the primary arguments pursuant to Election Code Section 9285 subsection (a), the provisions of which are hereby adopted. Such rebuttal arguments shall not exceed 250 words in length and shall be submitted to the City Clerk no later than 5:00 p.m. on March 28, 2016. The arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. No more than five signatures shall appear with any argument submitted. If more than one argument is submitted in favor of or in opposition to the proposed measure, the City Clerk shall select the argument to be utilized in accordance with Elections Code section 9287.

#### SECTION 14. IMPARTIAL ANALYSIS

The City Attorney shall prepare an impartial analysis of the measure showing the effect of the measure on existing law and the operation of the measure pursuant

to Election Code Section 9280, and submit it to the City Clerk no later than 5:00 p.m. on March 4, 2016.

**SECTION 15. DESIGNATION OF MEASURE TEXT**

The City requests the Elections Official publish only the following portions of this Resolution as the measure text to be published in the Voter's Pamphlet: The Title of this Resolution, all "Whereas" clauses, Sections 1 through 8 above, and the adoption block and signatures/attestations provided below.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** the City Council hereby rescinds Resolution 19-16, adopted on February 9, 2016, as this Resolution is intended to replace that previous resolution.

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Oakley held on the 23<sup>rd</sup> day of February, 2016, by the following vote:

AYES: Hardcastle, Higgins, Perry, Pope, Romick

NOES:

ABSTENTION:

ABSENT:

APPROVED:

  
\_\_\_\_\_  
Kevin Romick, MAYOR

ATTEST:

  
\_\_\_\_\_  
Libby Vreonis, CITY CLERK

2-29-16  
\_\_\_\_\_  
Date

CITY COUNCIL RESOLUTION NO. 114-15

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND  
SUBMITTING TO THE CITY OF RICHMOND ELECTORATE AN INITIATIVE  
ENTITLED “INITIATIVE MEASURE TO AMEND THE RICHMOND GENERAL  
PLAN 2030 TO ALLOW A 59 UNIT SINGLE FAMILY DETACHED PROJECT ON A  
SITE SOUTH OF THE INTERSECTION OF MARINA WAY SOUTH AND HALL AND  
APPROVE A DEVELOPMENT AGREEMENT AND RELATED ACTIONS”**

---

**WHEREAS**, the Richmond City Council has determined to call a special election and submit to the voters at the [June 7, 2016, statewide primary election], an initiative measure to adopt an ordinance to amend Richmond General Plan 2030 to allow a 59 unit single family detached project on a site south of the intersection of Marina Way South and Hall and approve a development agreement and related actions; and

**WHEREAS**, in accordance with the provisions of Section 10002 and 10403 of the Elections Code of the State of California, the Contra Costa County Clerk Recorder-Elections Division will be requested to consolidate the City of Richmond special municipal election with the [statewide primary election to be held June 7, 2016]; and

**WHEREAS**, the Council desires to submit this measure to be placed upon the ballot at said consolidated election.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richmond, as follows:

Section 1. The foregoing recitals are true and correct, and the City Council so finds and determines.

Section 2. A special election to be held in the City of Richmond on Tuesday, [June 7, 2016], (the “Initiative Election”) is hereby called and consolidated with the [statewide primary election to be held Tuesday, June 7, 2016], for the purpose of submitting the following initiative measure:

“Shall the ordinance to amend the Richmond General Plan 2030 to allow a 59 unit single family detached project on a site south of the intersection of Marina Way South and Hall and approve a development agreement and related actions be adopted?”

Section 3. The City Clerk of the City of Richmond is hereby ordered and directed to cause said proposed measure to be printed and to mail a copy of said measure to all registered voters in the City of Richmond with their sample ballots in substantially the form set forth in **Exhibit A**, attached hereto.

Section 4. (a) The City hereby requests the Board of Supervisors of the County of Contra Costa, State of California (the “County”) to consolidate the Initiative Election with the [statewide primary election] being conducted on the same date in the same territory or any territory which is in part of the same. Pending approval of such request, the Initiative Election will be consolidated with any election held by the County. In any event, the Initiative Election will be held on [June 7, 2016], from the hour of 7:00 a.m. to the hour of 8:00 p.m., during which period of time the polls will remain continuously open. At 8:00 p.m. the polls will be closed, except as provided in Section 14401 of the Elections Code, and the officers of the Election shall thereupon proceed to canvass the ballots cast thereat.

(b) The City Clerk is ordered to have the full text of the measure available for review in the Office of the City Clerk and at the City of Richmond’s webpage.

(c) The election precincts, polling places and voting booths within said City for said Initiative Election shall in every case be the same as the election precincts, polling places and voting booths established for the [statewide primary election] and the election officers for said Initiative Election shall be the same as those selected and designated or to be selected and designated for the [statewide primary election].

(d) The Initiative Election shall be held and conducted, and the voters thereof canvassed, and the returns thereof made, all in accordance with the general election laws of the State of California and the Charter and ordinances of said City.

(e) All persons qualified to vote at municipal elections in said City shall be qualified to vote.

(f) The City Council shall meet forthwith after the canvass of the returns of the Initiative Election and shall state in the minutes of such meeting the results of the Initiative Election as ascertained by said canvass.

Section 5. The City Clerk of the City of Richmond is hereby authorized to sign a Notice of Measure To Be Voted On in substantially the following form:

**NOTICE IS HEREBY GIVEN** that the following measure is to be voted on at the special election (the “Initiative Election”) to be held in the City of Richmond, on Tuesday, the [7th day of June 2016]:

“Shall the ordinance to amend the Richmond General Plan 2030 to allow a 59 unit single family detached project on a site south of the intersection of Marina Way South and Hall and approve a development agreement and related actions be adopted?”

The Initiative Election has been consolidated with the [statewide primary election] to be held in the City of Richmond on [June 7, 2016]. The election precincts within the City of Richmond for the Initiative Election shall be the regular election precincts established for said statewide primary election, and the polling places and officers of the Initiative Election within the City of Richmond for the Initiative Election shall be the same as those selected and designated or to be selected and designated for said [statewide primary election].

The polls will be opened between the hours of 7:00 a.m. and 8:00 p.m.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF RICHMOND.

Dated:

\_\_\_\_\_  
Clerk of the City of Richmond

(SEAL)

The Clerk of the City is hereby authorized and directed to publish said Notice of Measure To Be Voted On in the WEST COUNTY TIMES, a newspaper of general circulation circulated within the City of Richmond, in accordance with the provisions of Section 12114 of the Elections Code of the State of California.

Section 6. The Clerk of the City is hereby authorized and directed to cause to be delivered, no later than [March 11, 2016] (which date is not fewer than 88 days prior to the date set for the [statewide primary election]), one copy of this Resolution to the Registrar of Voters of the County.

Section 7. This resolution shall take effect immediately upon its adoption.

**BE IT FURTHER RESOLVED**, that the text of the Initiative is set forth in **Exhibit B**, attached hereto and made a part hereof.

\*\*\*\*\*

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held November 24, 2015, by the following vote:

AYES: Councilmembers Beckles, Martinez, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt.  
NOES: None.  
ABSTENTIONS: None.  
ABSENT: Councilmember Bates.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

TOM BUTT  
Mayor

Approved as to form:

BRUCE GOODMILLER  
City Attorney

State of California            }  
County of Contra Costa        }        : ss.  
City of Richmond                }

I certify that the foregoing is a true copy of **Resolution No. 114-15**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on November 24, 2015.

  
\_\_\_\_\_  
Pamela Christian, Clerk of the City of Richmond

**EXHIBIT A**

Notice of Election and Measure To Be Voted On

**CITY OF RICHMOND**

**NOTICE OF SPECIAL MUNICIPAL ELECTION  
AND MEASURE TO BE VOTED ON**

**NOTICE IS HEREBY GIVEN** that a Special Municipal Election will be held in the City of Richmond on Tuesday, [June 7, 2016], at which time there will be submitted to the voters the following measure:

“Shall the ordinance to amend the Richmond General Plan 2030 to allow a 59 unit single family detached project on a site south of the intersection of Marina Way South and Hall and approve a development agreement and related actions be adopted?”

The Initiative Election has been consolidated with the [Statewide Primary Election] to be held in the City of Richmond [June 7, 2016]. The election precincts within the City of Richmond for the Initiative Election shall be the regular election precincts established for said [Statewide Primary Election], and the polling places and officers of election within the City of Richmond for the Initiative Election shall be the same as those selected and designated or to be selected and designated for said [Statewide Primary Election].

**NOTICE IS FURTHER GIVEN** pursuant to Article 4, Section 9282 of the Elections Code of the State of California, the legislative body of the City of Richmond, or any member or members of the legislative body authorized by the body, or any individual voter who is eligible to vote on the measure or bona fide association of citizens, or any combination of voters and associations, may file a written argument, not to exceed 300 words in length, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers, for or against the City measures.

**NOTICE IS FURTHER GIVEN** that, based upon the time reasonably necessary to prepare and print the arguments and sample ballots for the election, the City Clerk has fixed [Monday, March 21, 2016], during normal office hours, 8:30 a.m. to 5:00 p.m., as the date after which no arguments for or against the City measures may be submitted to the Clerk for printing and distribution to the voters as provided in Article 4. Arguments shall be submitted to the City Clerk, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument, at the Richmond City Hall, 450 Civic Center Plaza, Suite 300, Richmond, California. No more than five signatures may appear on the argument.

**NOTICE IS FURTHER GIVEN** that the City Council of the City of Richmond has determined that rebuttal arguments, not to exceed 250 words in length, as submitted by the authors of the opposing direct arguments, may be filed with the City Clerk by [Thursday, March 24, 2016], during normal office hours, 8:30 a.m. to 5:00 p.m., accompanied by the printed names (s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. No more than five signatures may appear on the rebuttal.

**NOTICE IS FURTHER GIVEN** that any ordinance, impartial analysis, or direct argument filed under the authority of the Elections Code will be available for public examination in the City Clerk’s office from (March 29, 2016, to April 11, 2016). Any rebuttal argument filed under the authority of the Elections Code will be available for public examination in the City Clerk’s Office from [March 29, 2016, to April 11, 2016].

The polls will be open on Election Day [June 7, 2016] between the hours of 7:00 a.m. and 8:00 p.m.

Pamela Christian  
Clerk of the City of Richmond  
City Elections Official

**NOTA:**

**Si desea obtener la version en Espanol de este aviso legal, puede solicitar una copia de la misma llamando al Departamento de Elecciones, 1(925) 335-7800.**

Dated:  
Publish:

**EXHIBIT B**

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**

Provided under separate cover

**CITY COUNCIL RESOLUTION NO. 125-15**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND SUBMITTING TO THE CITY OF RICHMOND ELECTORATE AN INITIATIVE ENTITLED “AMENDMENT TO THE RICHMOND MUNICIPAL CODE REQUIRING THE CITY MANAGER TO PUBLICIZE COMPENSATION PAID TO EXEMPT CITY SERVICE OFFICIALS AND EMPLOYEES, OBLIGATING THE CITY COUNCIL TO SET ANNUAL COMPENSATION FOR CITY EXEMPT SERVICE OFFICIALS AND EMPLOYEES AND PROHIBITING THE CITY COUNCIL FROM COMPENSATING THE CITY MANAGER IN EXCESS OF FIVE TIMES THE MEDIAN HOUSEHOLD INCOME FOR THE CITY”**

---

**WHEREAS**, the Richmond City Council has determined to call a special election and submit to the voters at the [June 7, 2016, statewide primary election], an initiative measure entitled “Amendment to the Richmond Municipal Code Requiring the City Manager to Publicize Compensation Paid to Exempt City Service Officials and Employees, Obligating the City Council to Set Annual Compensation for City Exempt Service Officials and Employees and Prohibiting the City Council From Compensating the City Manager in Excess of Five Times the Median Household Income for the City; and

**WHEREAS**, in accordance with the provisions of Section 10002 and 10403 of the Elections Code of the State of California, the Contra Costa County Clerk Recorder-Elections Division will be requested to consolidate the City of Richmond special municipal election with the [statewide primary election to be held June 7, 2016]; and

**WHEREAS**, the Council desires to submit this measure to be placed upon the ballot at said consolidated election.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richmond, as follows:

Section 1. The foregoing recitals are true and correct, and the City Council so finds and determines.

Section 2. A special election to be held in the City of Richmond on Tuesday, [June 7, 2016], (the “Initiative Election”) is hereby called and consolidated with the [statewide primary election to be held Tuesday, June 7, 2016], for the purpose of submitting the following initiative measure:

“Shall the ordinance to amend the Richmond Municipal Code requiring the City Manager to publicize compensation paid to exempt City service officials and employees, obligating the City Council to set annual compensation for City exempt service officials and employees and prohibiting the City Council from compensating the City Manager in excess of five times the median household income for the City be adopted?”

Section 3. The City Clerk of the City of Richmond is hereby ordered and directed to cause said proposed measure to be printed and to mail a copy of said measure to all registered voters in the City of Richmond with their sample ballots in substantially the form set forth in **Exhibit A**, attached hereto.

Section 4. (a) The City hereby requests the Board of Supervisors of the County of Contra Costa, State of California (the “County”) to consolidate the Initiative Election with the [statewide primary election] being conducted on the same date in the same territory or any territory which is in part of the same. Pending approval of such request, the Initiative Election will be consolidated with any election held by the County. In any event, the Initiative Election will be held on [June 7, 2016], from the hour of 7:00 a.m. to the hour of 8:00 p.m., during which period of time the polls will remain continuously open. At 8:00 p.m. the polls will be closed, except as provided in Section 14401 of the Elections Code, and the officers of the Election shall thereupon proceed to canvass the ballots cast thereat.

(b) The City Clerk is ordered to have the full text of the measure available for review in the Office of the City Clerk and at the City of Richmond's webpage.

(c) The election precincts, polling places and voting booths within said City for said Initiative Election shall in every case be the same as the election precincts, polling places and voting booths established for the [statewide primary election] and the election officers for said Initiative Election shall be the same as those selected and designated or to be selected and designated for the [statewide primary election].

(d) The Initiative Election shall be held and conducted, and the voters thereof canvassed, and the returns thereof made, all in accordance with the general election laws of the State of California and the Charter and ordinances of said City.

(e) All persons qualified to vote at municipal elections in said City shall be qualified to vote.

(f) The City Council shall meet forthwith after the canvass of the returns of the Initiative Election and shall state in the minutes of such meeting the results of the Initiative Election as ascertained by said canvass.

Section 5. The City Clerk of the City of Richmond is hereby authorized to sign a Notice of Measure To Be Voted On in substantially the following form:

NOTICE IS HEREBY GIVEN that the following measure is to be voted on at the special election (the "Initiative Election") to be held in the City of Richmond, on Tuesday, the [7th day of June 2016]:

"Shall the ordinance to amend the Richmond Municipal Code requiring the City Manager to publicize compensation paid to exempt City service officials and employees, obligating the City Council to set annual compensation for City exempt service officials and employees and prohibiting the City Council from compensating the City Manager in excess of five times the median household income for the City be adopted?"

The Initiative Election has been consolidated with the [statewide primary election] to be held in the City of Richmond on [June 7, 2016]. The election precincts within the City of Richmond for the Initiative Election shall be the regular election precincts established for said statewide primary election, and the polling places and officers of the Initiative Election within the City of Richmond for the Initiative Election shall be the same as those selected and designated or to be selected and designated for said [statewide primary election].

The polls will be opened between the hours of 7:00 a.m. and 8:00 p.m.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF RICHMOND.

Dated:

\_\_\_\_\_  
Clerk of the City of Richmond

(SEAL)

The Clerk of the City is hereby authorized and directed to publish said Notice of Measure To Be Voted On in the WEST COUNTY TIMES, a newspaper of general circulation circulated within the City of Richmond, in accordance with the provisions of Section 12114 of the Elections Code of the State of California.

Section 6. The Clerk of the City is hereby authorized and directed to cause to be delivered, no later than [March 11, 2016] (which date is not fewer than 88 days prior to the date set for the [statewide primary election]), one copy of this Resolution to the Registrar of Voters of the County.

Section 7. This resolution shall take effect immediately upon its adoption.

**BE IT FURTHER RESOLVED**, that the text of the Initiative is set forth in **Exhibit B**, attached hereto and made a part hereof.

\*\*\*\*\*

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held December 15, 2015, by the following vote:

AYES: Councilmembers Bates, Beckles, Martinez, McLaughlin, Pimplé,  
Vice Mayor Myrick, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

TOM BUTT

Mayor

Approved as to form:

BRUCE GOODMILLER

City Attorney

State of California            }  
County of Contra Costa        } : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of **Resolution No. 125-15**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on December 15, 2015.



Pamela Christian, Clerk of the City of Richmond

## EXHIBIT A

### Notice of Election and Measure To Be Voted On

#### CITY OF RICHMOND

#### NOTICE OF SPECIAL MUNICIPAL ELECTION AND MEASURE TO BE VOTED ON

**NOTICE IS HEREBY GIVEN** that a Special Municipal Election will be held in the City of Richmond on Tuesday, [June 7, 2016], at which time there will be submitted to the voters the following measure:

“Shall the ordinance to amend the Richmond Municipal Code requiring the City Manager to publicize compensation paid to exempt City service officials and employees, obligating the City Council to set annual compensation for City exempt service officials and employees and prohibiting the City Council from compensating the City Manager in excess of five times the median household income for the City be adopted?”

The Initiative Election has been consolidated with the [Statewide Primary Election] to be held in the City of Richmond [June 7, 2016]. The election precincts within the City of Richmond for the Initiative Election shall be the regular election precincts established for said [Statewide Primary Election], and the polling places and officers of election within the City of Richmond for the Initiative Election shall be the same as those selected and designated or to be selected and designated for said [Statewide Primary Election].

**NOTICE IS FURTHER GIVEN** pursuant to Article 4, Section 9282 of the Elections Code of the State of California, the legislative body of the City of Richmond, or any member or members of the legislative body authorized by the body, or any individual voter who is eligible to vote on the measure or bona fide association of citizens, or any combination of voters and associations, may file a written argument, not to exceed 300 words in length, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers, for or against the City measures.

**NOTICE IS FURTHER GIVEN** that, based upon the time reasonably necessary to prepare and print the arguments and sample ballots for the election, the City Clerk has fixed [Monday, March 21, 2016], during normal office hours, 8:30 a.m. to 5:00 p.m., as the date after which no arguments for or against the City measures may be submitted to the Clerk for printing and distribution to the voters as provided in Article 4. Arguments shall be submitted to the City Clerk, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument, at the Richmond City Hall, 450 Civic Center Plaza, Suite 300, Richmond, California. No more than five signatures may appear on the argument.

**NOTICE IS FURTHER GIVEN** that the City Council of the City of Richmond has determined that rebuttal arguments, not to exceed 250 words in length, as submitted by the authors of the opposing direct arguments, may be filed with the City Clerk by [Thursday, March 24, 2016], during normal office hours, 8:30 a.m. to 5:00 p.m., accompanied by the printed names (s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. No more than five signatures may appear on the rebuttal.

**NOTICE IS FURTHER GIVEN** that any ordinance, impartial analysis, or direct argument filed under the authority of the Elections Code will be available for public examination in the City Clerk's office from (March 29, 2016, to April 11, 2016). Any rebuttal argument filed under the authority of the Elections Code will be available for public examination in the City Clerk's Office from [March 29, 2016, to April 11, 2016].

The polls will be open on Election Day [June 7, 2016] between the hours of 7:00 a.m. and 8:00 p.m.

Pamela Christian  
Clerk of the City of Richmond  
City Elections Official

**NOTA:**

**Si desea obtener la version en Espanol de este aviso legal, puede solicitar una copia de la misma llamando al Departamento de Elecciones, 1(925) 335-7800.**

Dated:  
Publish:

**EXHIBIT B**

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**

Provided under separate cover



March 11, 2016

Contra Costa County Election Department  
Attn: Rosa Mena  
555 Escobar Street  
Martinez, CA 94553

RE: June 7, 2016 Primary Election – Ballot Measures

Dear Rosa,

I am providing the resolutions for two ballot measure for the City of Antioch on the June 7<sup>th</sup> Primary Election.

The first ballot measure is an initiative, Resolution No 2016/14 and Resolution 2016/19.

The second ballot measure is to make the City Treasurer appointed, Resolution 2016/20.

These same documents were mailed to you today.

As always, thank you for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Arne Simonsen", is written over the typed name.

ARNE SIMONSEN  
City Clerk

cg

Enclosures

Office of the City Clerk  
200 H Street  
P. O. Box 5007  
Antioch CA 94531-5007  
(925) 779-7009

**RESOLUTION NO. 2016/14**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
CALLING AN INITIATIVE MEASURE ELECTION**

**WHEREAS** the City Clerk has issued a certificate verifying that proponents of an Initiative Petition have timely submitted petitions containing the required number of signatures pursuant to the Elections Code to qualify for an election; and

**WHEREAS** the City Council has determined to submit the matter to the electorate rather than adopting the proposed ordinance;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council does hereby call an election to be consolidated with the June 7, 2016 Primary Election to determine the initiative petition.

**BE IT FURTHER RESOLVED** that the specific measure on the ballot shall be as follows:

**MEASURE:** \_\_\_\_\_

“Shall the electors adopt the Initiative Limiting Card Rooms Within the City and Requiring Voter Approval for New or Expanded Card Rooms Ordinance?”

**BE IT FURTHER RESOLVED** that that the City Clerk is directed to transmit a copy of the measure to the City Attorney for the purpose of preparing an impartial analysis of the measure.

**BE IT FURTHER RESOLVED** that the full text of the measure is not to be printed in the voter pamphlet.

**BE IT FURTHER RESOLVED** that the City Clerk shall fix and determine a reasonable date prior to the election, and consistent with rules of the Contra Costa County Elections Division, after which no arguments for or against the measure may be submitted, which date shall be noticed buy the City Clerk pursuant to Government Code Sec. 6061 and Elections Code Sec. 9286.

**BE IT FURTHER RESOLVED** that no rebuttal arguments shall be allowed.

**RESOLUTION NO. 2016/14**

February 9, 2016

Page 2

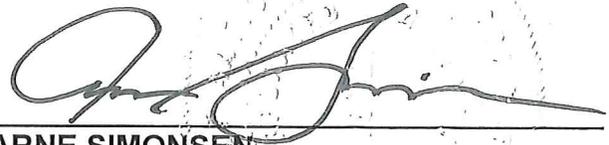
\* \* \* \* \*

I **HEREBY CERTIFY** that the foregoing Resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 9<sup>th</sup> day of February, 2016 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**



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**ARNE SIMONSEN**  
**CITY CLERK OF THE CITY OF ANTIOCH**

**RESOLUTION NO. 2016/19**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
SPECIFYING MATTERS FOR THE JUNE 7, 2016  
LOCAL MEASURE ELECTION**

**WHEREAS** the Antioch City Council has called an election to be consolidated with the June 7, 2016 Primary Election on the initiative petition dealing with limiting card rooms within the City and requiring voter approval for new or expanded card rooms; and

**WHEREAS** the City Council wishes to establish further specifics for the conduct of the election;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Contra Costa County Registrar of Voters is requested to consolidate this election with other elections being held on June 7, 2016 in the same territory or in the territory that is in part the same;
2. Pursuant to Section 10002 of the elections Code, the City Council hereby request the Board of Supervisors of Contra Costa County to permit the County Elections Official to render services necessary to place this measure on the ballot of the next general municipal election and to conduct the election of this ballot measure. The City Council recognizes that additional costs may be incurred by the County by reason of these services and agrees to reimburse the County for these costs;
3. The election on this measure shall be held, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, the returns made, and a result ascertained and determined, and all other proceedings conducted in connection with the election, under the regulations of the Registrar of Voters of Contra Costa County, in accordance with the provisions of the law governing general municipal elections in general law cities;
4. The proponent(s) of the initiative and the City Council, pursuant to Elections Code Sec. 9282(a) may submit primary arguments on this ballot measure pursuant to the Elections Code. Such primary arguments shall not exceed 300 words in length and shall be submitted to the City Clerk no later than 5:00 p.m. on March 11, 2016. No rebuttal arguments shall be filed. The rules pertaining to arguments shall be as specified in the Elections Code.

**RESOLUTION NO. 2016/19**

February 23, 2016

Page 2

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing Resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 23<sup>rd</sup> day of February, 2016 by the following vote:

**AYES:** Council Members Wilson, Ogorchock, Tiscareno, Rocha and Mayor Harper

**NOES:** None

**ABSENT:** None



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**ARNE SIMONSEN**  
**CITY CLERK OF THE CITY OF ANTIOCH**

RESOLUTION NO. 2016/20

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
CALLING FOR A MUNICIPAL ELECTION TO SUBMIT TO THE VOTERS A  
LOCAL BALLOT MEASURE TO MAKE THE OFFICE OF CITY TREASURER  
APPOINTED AND REQUESTING THE BOARD OF SUPERVISORS OF CONTRA  
COSTA COUNTY TO CONSOLIDATE A MUNICIPAL ELECTION ON A LOCAL  
MEASURE WITH OTHER ELECTIONS TO BE HELD ON THE JUNE 7, 2016  
REGULAR ELECTION DATE

**WHEREAS**, a Primary Election is scheduled for June 7, 2016; and

**WHEREAS**, the City Council deems it advisable to submit to the voters a ballot measure to make the office of City Treasurer Appointed instead of Elected because the traditional duties of this part-time office are increasingly handled by professional staff and consultants given the expertise required and the cost savings if not paying a salary stipend or benefits to the officer;

**WHEREAS**, the City Council is authorized to request an order that the ballot measure election be consolidated with other elections to be held on the same day and in the same territory (California Elections Code 10400 *et seq.*); and

**WHEREAS**, it is desirable that said ballot measure election be consolidated with the June 7, 2016 Primary Election; that within the City, the precincts, polling places, and election officers for the two elections be the same; that the Board of Supervisors canvass the returns of the City ballot measure election; and said City ballot measure election be held in all respects as if there were only one election;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANTIOCH:**

1. **Call for Election.** The City Council hereby calls an election on Tuesday, June 7, 2016 for the purpose of submitting to the voters a ballot measure to make the office of City Treasurer Appointed instead of Elected. A majority vote is required for the passage of the ballot measure.

2. **Form of Measure.** The text of the proposed ordinance to be submitted to the voters is attached as Exhibit A to this resolution. The exact form of the measure to be voted upon shall appear on the ballot as follows:

<b>CHANGING THE CITY TREASURER POSITION FROM ELECTED TO APPOINTED.</b> Shall the office of City Treasurer be Appointed?	YES
	NO

**RESOLUTION NO. 2016/20**

February 23, 2016

Page 2

The measure shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the measure, as provided in California Election Code section 13116.

**3. Transmission to the City Attorney.** The City Clerk is directed, pursuant to Elections Code section 9280, to transmit a copy of the measure to the City Attorney for the purpose of preparing an impartial analysis of the measure to be submitted no later than 4:30 p.m. on Friday, March 4, 2016.

**4. Full Text of the Measure.** The ballot measure question as set forth above is the full text of the measure.

**5. Argument For the Measure.** The City Council authorizes the Mayor, or in his absence, the Mayor Pro Tem on behalf of the City Council to file the written primary argument in support of the ballot measure described above pursuant to Article 4 of Chapter 3 of Division 9 of the California Elections Code. Signatories to the argument shall be determined by the Mayor and may include the Mayor signing on behalf of the Antioch City Council. Arguments for or against the measure shall be no longer than 300 words in length.

**6. Date for Submission of Arguments.** The City Clerk, with the concurrence of the County Elections Official, has fixed 4:30 p.m. Friday, March 4, 2016 as the deadline for submittal of arguments for or against the measure.

**7. Rebuttal Arguments.** No rebuttal arguments shall be allowed.

**8. Consolidation of Election.** The City Council requests and consents that the Board of Supervisors of the County of Contra Costa, State of California order the consolidation of the election in the City of Antioch to be held on June 7, 2016, with any other election(s) to be held on the same regular election date, under California Election Code sections 10400 *et seq.*

**9. Conduct of the Election.** The consolidated election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, results declared, certificates of election issued, and all other proceedings incidental to and connected with the election shall be regulated and done by the County Clerk in accordance with the provisions of law regulating a regularly scheduled election. The Board of Supervisors is hereby requested to issue all officers of the County charged with duties pertaining to the June 2016 election instructions to take any and all steps necessary for the holding of such consolidated election. (California Elections Code 10418).

**RESOLUTION NO. 2016/20**

February 23, 2016

Page 3

**10. Costs.** The City will reimburse the County for the actual cost incurred in conducting the election upon receipt of a bill stating the amount due as determined by the Election Official.

**11. Boundaries.** The boundaries of the City have not changed since the November 2014 election.

**12. Filing with County.** The City Clerk is directed to file with the Board of Supervisors and the County Clerk of Contra Costa County certified copies of this resolution.

**13. Filing the Notice.** Pursuant to Elections Code section 9163 and 12111, the City Clerk's Office shall publish the required notice in a newspaper of general circulation in the City of Antioch.

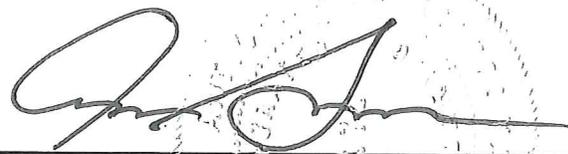
\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 23th day of February 2016, by the following vote:

**AYES:** Council Members Wilson, Ogorchock, Tiscareno, Rocha and Mayor Harper

**NOES:** None

**ABSENT:** None



---

**ARNE SIMONSEN**  
**CITY CLERK OF THE CITY OF ANTIOCH**

*Exhibit A*

**CHANGING THE CITY TREASURER POSITION FROM ELECTED TO APPOINTED.**  
Shall the office of City Treasurer be appointed?



BEFORE THE CITY COUNCIL OF THE CITY OF ORINDA

In the Matter of:

CALLING A SPECIAL MUNICIPAL BOND )      ORDINANCE NO. 16-01  
ELECTION FOR APPROVAL OF GENERAL )  
OBLIGATION BONDS TO FINANCE )  
ROADWAY AND STORM DRAIN )  
IMPROVEMENTS

---

**WHEREAS**, the City Council (the “Council”) of the City of Orinda (the “City”), by resolution duly passed and adopted by affirmative vote of more than two-thirds of all its members at a meeting of the Council duly and regularly held on February 16, 2016, did determine that the public interest and necessity demand the acquisition, construction and completion of the municipal road and drain improvements hereinafter mentioned; and did further determine that the cost of the acquisition, construction and completion of said municipal road and drain improvements will be too great to be paid out of the ordinary annual income and revenue of the City and will require an expenditure greater than the amount allowed therefor by the annual tax levy, and will require the incurring of a bonded indebtedness therefor;

**NOW, THEREFORE**, the City Council of the City of Orinda does ordain as follows:

Section 1. Specifications of Election Order. (a) A special municipal bond election is hereby ordered to be held throughout the City of Orinda on June 7, 2016, for the purpose of submitting to the qualified electors of the City the proposition of incurring bonded indebtedness of the City attached hereto as Exhibit A.

(b) The Registrar of Voters (the “Registrar of Voters”) of the County of Contra Costa (the “County”) is hereby requested to reprint the full text of the measure contained in Exhibit A hereto (the “Measure”) as the ballot measure in all official materials pertaining to the election, including notices of election, notices inviting arguments, and other notices, voter information pamphlets, and the official ballots. In the event the full text of the proposition is not reprinted in the voter information pamphlet, the Registrar of Voters is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

“The above statement is an impartial analysis of Measure \_\_\_\_\_. If you desire a copy of the measure, please call the

Contra Costa County Registrar of Voters at (925) 335-7800 and a copy will be mailed at no cost to you.”

Section 2. Abbreviation of Proposition: Pursuant to Section 13247 of the Elections Code, the Council hereby directs the Registrar of Voters to use the following abbreviation of the bond proposition on the ballot:

**Orinda Road and Storm Drain Repair Measure.** To repair failing roads and storm drains, restore and upgrade other roadways and storm drains, fix potholes, and improve safety on Orinda public streets, shall the City of Orinda issue twenty five million dollars in bonds, with financial audits, public review of all expenditures, and a citizens’ oversight committee?

Section 3. Required Recitals.

(a) Purpose. The object and specific purpose of incurring the indebtedness is to finance a portion of the cost of acquisition, construction and/or completion of municipal improvements consisting of roadway repairs and improvements and storm drain repairs and improvements, and proceeds of the bonds shall be spent only for such purpose, pursuant to Government Code Section 53410.

(b) Cost of Improvements. The estimated cost of the municipal improvements described in subdivision (a) to be funded from the bonds is \$25,000,000. The City plans to use the bond proceeds to supplement other available City moneys for the municipal road and drain improvements. The estimated cost of the municipal road and drain improvements includes legal and all other fees incidental to or connected with the authorization, issuance and sale of the proposed bonds, the costs of printing the bonds, and all other costs and expenses incidental to or connected with the authorization, issuance and sale of the bonds.

(c) Amount of Bonds. The amount of principal of the indebtedness proposed to be incurred for said municipal improvements is \$25,000,000.

(d) Maximum Interest Rate. Said bonds shall bear interest at rates not to exceed the maximum allowed by law at the time of sale of the bonds or any series thereof.

(e) Date of Election. The election will be held on June 7, 2016.

(f) Election Procedures. Except as otherwise provided herein, the manner of holding the election, the forms of the ballots, the procedures for voting for or against the Measure, the procedures for canvassing the vote, and all other procedures for conducting the election, shall be as directed by the Elections Code, or as determined by the Registrar of Voters in accordance with the Elections Code. The City Clerk is hereby authorized and directed to cooperate with the Registrar of Voters and to follow

the procedures and meet all deadlines established by the Registrar of Voters. The Measure shall be approved by the affirmative vote of at least two-thirds of the qualified electors voting on the Measure.

(g) Maximum Maturity of Bonds. The final maturity date of any of the bonds shall not exceed 30 years from the time of incurring the indebtedness evidenced by such bonds or the series of bonds of which such bonds are a part.

(h) Special Bond Proceeds Account; Annual Report to Council. Upon approval of the Measure and the sale of any bonds approved, the Council shall establish an improvement fund or account (which may be an existing fund or account, if appropriate) in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the City Manager shall cause a report to be filed with the Council no later than January 31 of each year, commencing January 31, 2017, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the City Manager shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Council.

Section 4. Request for Consolidation. The Council hereby requests with respect to the special municipal bond election called hereby, that the Board of Supervisors of the County consolidate said election with any other election being conducted on the same date in the same territory or any territory which is in part the same.

The precincts, polling places and officers of election shall be the same as those set forth in any order of the Registrar of Voters or the Board of Supervisors of the County providing for the precincts, polling places and election officers for the general city, county and statewide election to be conducted on the date of the special municipal bond election, as set forth in the notice to be published by the Registrar of Voters pursuant to Sections 12105 and 10417 of the Elections Code.

Section 5. Impartial Analysis. The City Clerk is hereby directed to transmit a copy of the Measure to the City Attorney of the City, who is hereby directed to prepare the impartial analysis of the Measure pursuant to Elections Code Section 9280. The City Attorney shall cause the impartial analysis to be filed with the City Clerk no later than March 18, 2016.

Section 6. Primary Arguments. Arguments in favor of or against the Measure shall be submitted to the office of the City Clerk no later than March 18, 2016. The City Council authorizes the following member(s) of its body:

Victoria Smith

Dean Orr

to file a written argument not exceeding 300 words regarding the Measure as specified above, accompanied by the printed name(s) and signature(s) of the persons submitting it, in accordance with Article 4 of Chapter 3 of Division 9 of the Elections Code.

Section 7. Tax Rate Statement. The Finance Director of the City is hereby authorized and directed to cause to be prepared a tax rate statement as required by Elections Code Section 9401 in connection with the Measure. The Finance Director shall cause the Tax Rate Statement to be filed with the Registrar of Voters at the same time as this Ordinance is filed, and in any event no later than March 11, 2016.

Section 8. Rebuttal Arguments. The Council has adopted the provisions of Elections Code Section 9285(a) for elections on City measures, and will accept rebuttal arguments on the Measure. If both primary arguments in favor of and against the Measure are submitted, rebuttal arguments must be filed with the City Clerk no later than March 28, 2016.

Section 9. Notice of Election. Notice of the election shall be given:

(a) by publication of the full text of this ordinance in the Contra Costa Times, a newspaper published at least six days per week in the City, once a day for at least seven days beginning no later than March 16, 2016, and the City Clerk is hereby ordered and directed to cause this ordinance to be so published; and

(b) by publication of a combined Notice of Election, Synopsis of the Measure and Notice to File Arguments, pursuant to Elections Code Sections 9163, 9286(b) and 12111, not later than March 16, 2016, and the Registrar of Voters is hereby requested to serve as filing authority for the notices described in this subsection (b).

Section 10. Filing with Registrar of Voters. The City Clerk is hereby authorized and directed to file a certified copy of this Ordinance with the Registrar of Voters as soon as practicable after the adoption hereof, and in any event no later than March 11, 2016.

Section 11. Effective Date. A two-thirds vote of all of the members of the Council is required for approval of this ordinance. Being an ordinance calling and ordering an election, this ordinance shall take effect from and after its final passage and approval.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Orinda held on February 16, 2016, and adopted and ordered published at a regular meeting of the Council held on March 1, 2016, by the following vote:

AYES:	COUNCILMEMBERS:	Gee, Orr, Worth and Mayor Smith
NOES:	COUNCILMEMBERS:	Phillips
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

---

Victoria Smith, Mayor

ATTEST:

---

Michele L. Olsen, City Clerk

CLERK'S CERTIFICATE

I, the undersigned City Clerk of the City of Orinda, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of an ordinance introduced at a regular meeting of the City Council of the City of Orinda duly and regularly held at 22 Orinda Way, on February 16, 2016, and duly adopted by the City Council at a regular meeting of the City Council duly and regularly held at the regular meeting place thereof on March 1, 2016, of which meeting all of the members of the City Council had due notice and at which a quorum thereof was present and acting throughout.

At said meeting the ordinance was introduced by Council Member Worth and read by title only, and was thereupon, upon motion of Council Member Worth, seconded by Council Member Orr, adopted by the following vote:

AYES:           Gee, Orr, Worth and Mayor Smith

NOES:           Phillips

ABSENT:       None

I have carefully compared the attached with the original minutes of the meeting on file and of record in my office and the attached is a full, true and correct copy of the original ordinance adopted at the meeting and entered in the minutes.

The ordinance has not been amended, modified or rescinded since the date of its introduction and adoption and is now in full force and effect.

Dated: March 1, 2016.

---

City Clerk, City of Orinda

## EXHIBIT A

### ORINDA ROAD AND STORM DRAIN REPAIR BOND MEASURE

This Proposition may be known as the “Orinda Road and Storm Drain Repair Bond Measure” or as “Measure \_\_\_\_”. *[designation to be assigned by County Registrar of Voters]*

#### PROPOSITION

By approval of this proposition by at least two-thirds of the registered voters voting on the proposition, the City of Orinda shall be authorized to issue and sell \$25,000,000 in bonds to provide financing for a portion of the cost of acquisition, construction and/or completion of municipal improvements consisting of repairs and improvements to roadways and storm drains.

Proceeds from the sale of bonds authorized by this proposition shall be used only for the purposes set forth in the paragraph above, subject to each of the accountability safeguards specified below.

#### ACCOUNTABILITY SAFEGUARDS

Citizens' Infrastructure Oversight Commission (CIOC). On March 20, 2007, the City Council created the City Infrastructure Commission which advises the City Council with regard to infrastructure needs and improvements. On March 4, 2014, the City Council expanded the responsibilities of the City Infrastructure Commission and charged it with, among other things, (a) making recommendations to the City Council with respect to infrastructure project priorities and scope and (b) reviewing bond expenditures and reporting to the public whether bond proceeds are expended only for the projects approved by the City Council and authorized by voters. The City Infrastructure Commission complies with the Brown Act, including posting of all agendas, conducting open meetings, and approving its meeting minutes.

Special Bond Proceeds Account; Annual Report to Council. Upon approval of the Measure and the sale of any bonds approved, the Council shall establish an improvement fund or account (which may be an existing fund or account, if appropriate) in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the City Manager shall cause a report to be filed with the Council no later than January 31 of each year, commencing January 31, 2017, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the City Manager shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Council.

January 25, 2016

State of California            )  
County of Contra Costa       )  
City of Pittsburg             )

I, Alice E. Evenson, City Clerk in and for said City Council, City of Pittsburg, County of Contra Costa, State of California, do hereby certify that the hereto attached and foregoing document is a full, true and correct copy of Resolution No. 15-13142, adopted at a regular meeting of the City Council of the City of Pittsburg on December 14, 2015, on file in this office of said City.

WITNESS, my hand, and Official Seal  
This 25<sup>th</sup> day of January, 2016.



Alice E. Evenson  
City Clerk

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

A Resolution Establishing June 7, 2016 as the )  
Date for a Special Election on a Proposed )  
Ballot Measure Continuing and Extending the )  
Existing Transactions and Use Tax at its )  
Current Level to Fund General Municipal ) RESOLUTION NO.15-13142  
Services; Establishing Election Policies and )  
Procedures in Connection With the Election; )  
And Requesting the Contra Costa County )  
Registrar of Voters to Conduct Such an Election)

The Pittsburg City Council DOES RESOLVE as follows:

WHEREAS, the State of California began shifting property tax from local governments in 1992 and these “takes” continue, including a portion of the City’s property tax to the Educational Revenue Augmentation Fund that could otherwise be used for essential City services; and

WHEREAS, since 1993, the City has been required by State legislation to pay for booking fees and property tax administration, another loss of general fund revenues that would otherwise be available for essential City services. In addition, since 2003, the State has taken additional Redevelopment Agency funds that could have been spent on local projects such as a library, public infrastructure, senior center or economic development programs; and

WHEREAS, in 2011, the State passed legislation to eliminate Redevelopment Agencies in order to help with the State deficit, yet the City has incurred and will continue to incur costs in the winding up of the Redevelopment Agency’s affairs. Other ways to “take” additional monies from cities are consistently being considered by the State Legislature to address its own budget crisis and, while the City of Pittsburg continues to be fiscally prudent, the impacts of these additional money grabs cannot be estimated; and

WHEREAS, State takeaways and the recent recession, delayed job growth, and the current economy resulted in a decline in City revenues, jeopardizing the City of Pittsburg’s essential services including 9-1-1 response, public safety, senior center, street and park maintenance, as well as other City services; and

WHEREAS, without continuing the existing transactions and use tax at its current level and extending its length of applicability, the City may be faced with challenges to maintain police services, cuts to senior services, code enforcement and other vital community services necessary for the preservation of public health, welfare and safety; and

WHEREAS, the City needs to maintain public safety, anti-gang activities and recreation programs to keep the Pittsburg community safe; and

WHEREAS, prior budget reductions have broadly impacted services throughout the City and are undermining the public health, safety and welfare of the City's residents. City Staff has advised and determined that without continuing the existing transactions and use tax at its current level and extending its length of applicability, the City will be seriously challenged to continue the high level services it provides. The proposed transaction and use tax would provide the City with a reliable funding source through 2034-2035 and the community with an alternative to reductions in services, such as law enforcement; and

WHEREAS, all funds from a local measure must stay in Pittsburg to maintain local services and the funds cannot be taken by the State. A local increase in the Sales Transaction and Use Tax would ensure fiscal accountability to maintain local services and would be reported on annually to the City Council; and

WHEREAS, during the economic recession that began in 2008, the City's annual revenues from sales taxes and property taxes fell \$4.6 million, reducing the funding available to provide essential City services. In response, the City reduced staff, eliminated non-essential services, and signed contracts with private companies to operate the golf course and youth recreation programs. City employees, including police officers, agreed to reduce medical and retirement benefits. Even with those cuts, for fiscal year 2011-12, the City needed \$2 million from its Budget Stabilization Fund to balance the budget, and anticipated a \$2.7 million General Fund deficit for fiscal year 2012-13; and

WHEREAS, the national and state recession has resulted in a weak economy best evidenced by several years of declining development activity revenue, significant decreases in property and transfer tax revenues, raids on City revenues by the State of California, increased retirement costs and increased health insurance costs; and

WHEREAS, the City has used part of its available Budget Stabilization Fund to bridge the budget gap. While the City maintains reserve funds for emergencies, vehicle replacement, employer liability, the City no longer has the resources to respond to new, specific emergencies and capital needs as they arise; and

WHEREAS, by cutting City staff and services to the bare minimum necessary to preserve the public health, safety and welfare, and drawing down the City's General Fund and Budget Stabilization Fund, the Council has been able to prevent the City from running out of money in the General Fund. As a result of cutting services to the bare minimum, maintenance of roads and other public facilities has been indefinitely deferred; and

WHEREAS, the City has cut funding to community events, capped contributions to employees' medical insurance premiums and now provides reduced retirement benefits to new employees in an effort to minimize expenses, and to maintain a balanced budget; and

WHEREAS, prior to placing Measure P on the ballot in 2012, the City Council unanimously determined that an emergency existed, potentially impacting the community's health, safety and welfare that necessitated asking the voters for approval as soon as possible, allowing the City to address an impending structural deficit. The major reasons for the ongoing and projected deficits were the effects of a national and state recession resulting in three years of declining development activity revenue, significant decreases in property and transfer tax revenues, raids on City revenue by the State of California,

increased retirement costs (primarily associated with CALPERS investment losses), and increasing health insurance; and

WHEREAS, the fiscal year 2010-11 Budget represented the full impact of General Fund source revenue reductions totaling \$4.7 million, representing a 29% loss of funding for essential public services since fiscal year 2007-08. In response to the severe decrease in revenue, the City Council froze or eliminated numerous positions and reduced maintenance of every City Park and all City facilities, roads, landscaping, and street trees. By doing so, the City was accepting that its essential infrastructure would deteriorate and become more expensive to maintain over time, in the interest of continuing to provide basic services and its own Police Department; and

WHEREAS, in June 2012, 73% of Pittsburg voters voted to approve Measure P in order to prevent deeper cuts to essential city services for Pittsburg residents. Measure P has since provided the City with a guaranteed source of local funding for City services that cannot be taken by the State and has helped maintain the financial viability of the City. Since voters enacted Measure P, the City has maintained a full-service Police Department, with the ability to prevent and investigate property, domestic violence and other types of crime. Without continuing Measure P revenue at its current level for an extended period of time, the City will face significant financial challenges, thus affecting the community's health, welfare and safety; and

WHEREAS, the General Fund currently uses Measure P Sales Tax funds to provide operations at the Police Department, the Senior Center and Economic Development programs within the City. By continuing Measure P at the current sales tax rate through Fiscal Year 2034-35, the General Fund will be able to reverse the pending strain on the City's finances, personnel and general services throughout the City. The continuations for a limited duration and will sunset at the end of fiscal year 2034-35, allowing the City to maintain fiscal stability throughout the remaining life of the previous Redevelopment Agency of the City of Pittsburg (RDA). After the previous RDA dissolves, property taxes associated with the RDA will revert to the City and eliminate the need for this gap funding to maintain current services throughout the City; and

WHEREAS, without further action, half of the revenue measure will expire in 2017, resulting in the loss of more than \$1.4 million annually for essential City services, thus causing a detrimental effect on Pittsburg residents; and

WHEREAS, the underlying factors that led to the emergency in 2012 and the proposal of Measure P have not abated in the intervening years. The housing market while recovering has not fully recovered and property tax revenue has not come back to the fiscal year 2007-08 levels. The City's sales tax base has just recovered to fiscal year 2007-08 levels, although without Measure P the sales tax revenue would still be under the fiscal year 2007-08 levels. The City's external costs, such as insurance and retirement obligations, have increased faster than revenues have grown. The structural deficit that the City faced then will return without this additional revenue. These issues were unforeseen when Measure P was approved and are beyond the City's control; and

WHEREAS, if Measure P is allowed to reduce or expire, based upon current economic factors that could not be foreseen when Measure P was adopted, the City

Council will be faced with difficult choices to implement, including severe reductions in City services. The City will be at risk for adverse effects on public health, safety, and welfare. Extending Measure P at its current level until June 2035 will protect local, high-quality services and ensure the City's Police Department has the resources it needs to maintain staffing levels, and will also provide seed money for a Family Justice Center to serve local residents. Development of a regional Family Justice Center will provide services at a single location for people affected by domestic violence, sexual assault, elder and child abuse and human trafficking; and

WHEREAS, continuing Measure P at its current level, and its related extension, would also allow the City to begin to address the \$34.7 million in deferred maintenance of Pittsburg streets. To keep pace with the wear and tear on roadways in the City, the City must spend \$3.5 million every year on pavement preservation projects on major streets to keep them at 'fair' or 'good' condition. Currently, the City is able to budget \$2.3 million per year, falling short more than \$1.2 million every year on what is needed to maintain local streets, and deferring to an often unspecified later date work on local streets in neighborhoods that are already at 'poor' or 'very poor' condition. The shortfall of funding will be complicated with the decay of the current street conditions over time. Without the funding to maintain the current condition of roads in Pittsburg, the City will see the \$34.7 million in deferred maintenance grow dramatically. In addition to the City seeking out local, regional and federal grant funds to pay for paving projects, the City is still faced with the loss of Redevelopment (RDA) funds and reductions in gas and other taxes previously available for road projects. These losses have contributed to the future emergency the City is attempting to circumvent prospectively rather than waiting for the event to happen; and

WHEREAS, the Finance Committee reviewed this issue at its meeting on September 21, 2015, and supported the declaration of an emergency and call for a measure on the June 2016 ballot to extend the existing Measure P at the current rate through June 2035; and

WHEREAS, on May 5, 2015, the Measure P Citizens Oversight Committee presented its annual report to the Council and acknowledged the funds had been utilized in a manner consistent with the Measure P goals. At its April 14, 2015 committee meeting, members expressed concern about the future reduction of Measure P revenues and the effect it would have on future program funding. These concerns were previously noted at the Citizens Oversight Committee meeting held on May 8, 2014; and

WHEREAS, the need to submit a local revenue measure to the voters and the related threat to public health, welfare and safety, is imminent and by presenting it to the voters at the June 2016 election would provide additional revenue to the City in the fall of 2017, sufficient in time to address the emergency facing the City starting in fiscal year 2017-18 and allow additional time for design and letting of contracts for road projects; and

WHEREAS, the City has taken reasonable steps to reduce spending and still is unable to bring expenditures in line with anticipated revenue; further spending reductions will require more dramatic cuts to essential public services that will result in threats to the general health, safety and welfare of the residents and business in the city; and

WHEREAS, the tax, if approved, would be imposed on the sale of tangible personal property and the storage, use, or other consumption of such property. The tax rate would be one-half of one percent (0.5%) of the sales price of the property through fiscal year 2034-2035, and then eliminated. The tax revenue would be collected by the State Board of Equalization and remitted to the City. The tax shall be approved if the measure receives approval from at least a simple majority of the voters at the election; and

WHEREAS, the Pittsburg City Council is authorized by Elections Code Section 9222 to place measures before the voters; and

WHEREAS, on the basis of the foregoing, the City Council desires to place the Pittsburg Preservation of Citywide Services Short-Term Funding Measure, attached hereto as Exhibit 1, as a measure before the voters on the June 7, 2016 election; and

WHEREAS, in recognition of the severity of the service reductions, the negative impact on quality of life, the existing reduction and potential further reduction of public services, the need to build reserves, the City Council, wishes to declare an emergency and call for an election to approve a general transactions and use tax at the June 7, 2016 election; and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the elections to be held on June 7, 2016, and that the County Election Department of the County of Contra Costa canvass the returns of the Special Municipal Election, and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the City Council finds and determines as follows:

Section 1. Recitals and Declaration of Findings

The foregoing recitals are true and correct and are hereby adopted by the City Council and incorporated by reference. Based on those recitals, the City Council unanimously finds and declares as follows:

A. The City is experiencing an existing and immediate funding crisis, which is largely outside of its control, including national economic trends, rapid increases in the cost of employee retirement and health insurance benefits, decreases in revenue from existing taxes and fees, increases in charges by the County of Contra Costa and unpredictable takeaways of local control.

B. The City has taken significant steps to reduce its operational costs, by eliminating staff positions, leaving positions vacant, outsourcing services and eliminating services.

C. The City has used some of the Budget Stabilization Fund to close the gap and continue to maintain services.

D. Because of changes in State law, particularly the approval of Propositions 62, 218 and 26, the City has very few means available for increasing General Fund revenues.

E. Absent a new source of General Fund revenue, the City's ability to maintain staff and service levels is uncertain. Despite the past dramatic decreases in staffing, as well as the City's use of the Budget Stabilization Funds, the City projects that budget deficits, absent new General Fund revenue, can only be met by prioritizing the community's need for necessary services such as police, community programs and senior citizen programs, among other essential services.

F. Unless new funding is provided, the City will significant challenges as it seeks to maintain public safety standards, adequate and safe recreational opportunities, and maintain the health, safety and welfare of the residents of the City.

G. Because of that threat to the public health, safety and welfare, an emergency exists in the City, as the term emergency is used in Article XIII C, section 2(b) of the California Constitution. The City must immediately address that emergency by ensuring that the City has resources necessary to preserve the public health, safety and welfare.

H. The identified emergency necessitates that the City Council submit a tax measure to the voters of the City of Pittsburg at the June 7, 2016 election, even though such an election would not be consolidated with a general election for a member of the City Council.

I. Article XIII C, section 2(b) of the California Constitution permits the City, in an emergency situation declared by the Council, to seek voter approval for a general tax at an election that is not consolidated for a member of the Council.

## Section 2. Call for Election

Pursuant to Elections Code Section 9222, the City Council hereby calls an election at which it shall submit to the qualified voters of the City of Pittsburg, the Pittsburg Preservation of Citywide Services Short-Term Funding Measure, which if approved, would adopt a temporary general transaction and use tax in the City, as authorized by Revenue and Taxation Code Section 7285.9. This measure shall be designated by letter by the Contra Costa County Registrar of Voters. Pursuant to Elections Code Section 10400 *et seq.*, the election on this measure shall be consolidated with the established election to be conducted on June 7, 2016.

## Section 3. Ballot Language

The full text of the Pittsburg Preservation of Citywide Services Funding Measure, attached to this Resolution, as Exhibit A. The City Council, pursuant to its right and authority, does order the following question to be submitted to the voters, set forth below:

To provide funding that stays in Pittsburg and cannot be seized by the State, to be used for Public Safety, gang prevention, job creation programs for local residents, to keep the Senior Center open, to maintain other City services, shall the City of Pittsburg extend its current half-cent sales tax through fiscal year 2034-2035, then the increase be terminated, altogether, with citizens' oversight, mandatory audits and consistent community reporting?	YES
	NO

Section 4. Approval of Proposed Ordinance

By unanimous vote of the City Council, the City Council hereby approves the ordinance, in the form thereof, and its submission to the voters at the June 7, 2016 special election, as required by Revenue and Taxation Code Section 7285.9. The proposed measure shall not take effect unless and until approved by a vote of at least a simple majority of affirmative votes of the voters voting on the question at the election. The ordinance authorizing the Pittsburg Preservation of Citywide Services Short-Term Funding Measure, a general transactions and use tax, to be approved by the voters pursuant to Section 2 and 3 of this Resolution, is as set forth in Exhibit A attached hereto and incorporated herein by reference. The City Manager and the City Clerk are authorized to take such additional actions as may be necessary to accomplish the purposes of this Resolution.

Section 5. Publication of Measure

The City Clerk is hereby directed to cause notice of the measure to be published once in accordance with Section 12111 of the Elections Code.

Section 6. Request to Consolidate, Conduct Election and Canvass Returns

Pursuant to Elections Code Section 10400 *et seq.*, the City Council hereby requests that the Contra Costa County Board of Supervisors consolidate the election called by this Resolution with the election to be conducted on June 7, 2016, and order the election to be conducted by the Registrar of Voters. The Contra Costa County Elections department is authorized to canvass the returns of the special election, and the election shall be held in all respects as only one election. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

The City of Pittsburg recognizes that the County will incur additional costs because of this consolidation and agrees to reimburse the County for those costs. The City Manager is authorized and directed to expend the necessary funds to pay for the City's cost of placing the measure on the election ballot.

The City of Pittsburg requests the full text of the Measure, exceeding the 75 word abbreviation, as attached in Exhibit A, be completely printed in the Voter Information Pamphlet.

The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors of Contra Costa County and the Registrar of Voters on or before March 11, 2016.

Section 7.        Polling Places

The polls for the election shall be open at 7:00 a.m. on the day of the election and shall remain open continuously from that time until 8:00 p.m. that same day, when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California. The notice of the time and the place of holding the election is hereby given, and the City Clerk is authorized to give further notice of the election, as required by law.

Section 8.        Submission of Ballot Arguments

A.            The last day for submission of primary arguments for or against the measure shall be by 5:00 p.m. on March 23, 2016. The primary arguments shall not exceed three hundred (300) words, and shall not be signed by more than five (5) persons.

B.            The last day for submission of rebuttal arguments for or against the measure shall be by 5:00 p.m. on March 28, 2016. The rebuttal arguments shall not exceed two hundred fifty (250) words and shall be signed by not more than five (5) persons.

Section 9.        Council Preparation of Argument In Support of Measure

Pursuant to California Elections Code Section 9282, the City Council hereby authorizes a member of the City Council to prepare a written argument in favor of the proposed measure, not to exceed three hundred (300) words, on behalf of the City Council. At the Mayor's discretion, the argument may also be signed by members of the City Council or bona fide associations or by individual voters who are eligible to vote.

Section 10.      Impartial Analysis

Pursuant to California Elections Code Section 9280, the City Attorney shall prepare an impartial analysis of the measure within the applicable timeframe, not to exceed five hundred (500) words in length showing the effect of the measure on existing law.

Section 11.      Implementation

The City Manager and City Clerk, or his/her designee, are authorized and directed, on behalf of the City, to take all actions necessary to place the measure on the ballot and to cause the ordinance or measure to be printed, including but not limited to executing documents and appropriating the necessary funds to pay the City's cost of placing the measure on the ballot. The City Clerk is authorized, instructed and directed to work with the Office of the Registrar of Voters as needed in order to properly and lawfully conduct the election.

Section 12.      Certified Copies

The City Clerk is directed to file certified copies of this Resolution with the Board of Supervisors and the Registrar of Voters of the County of Contra Costa, together with the attached ballot measure.

Section 13.      Boundaries

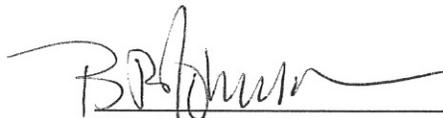
The jurisdictional boundaries of the City of Pittsburg have not changed since the last general municipal election.

Section 10.      Effective Date

This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 14th day of December, 2015, by the following vote:

AYES:            Casey, Craft, Evola, Longmire, Johnson  
NOES:            None  
ABSTAINED:    None  
ABSENT:        None

  
\_\_\_\_\_  
BR Johnson, Mayor

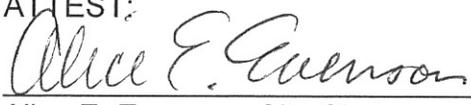
ATTEST:  
  
\_\_\_\_\_  
Alice E. Evenson, City Clerk

EXHIBIT A

BEFORE THE PEOPLE OF THE CITY OF PITTSBURG

In the Matter of:

An Ordinance of the City of Pittsburg )  
Continuing and Extending the )  
General Transaction and Use )  
Tax to Fund General Municipal ) ORDINANCE NO. 15-  
Services and to be Administered by the )  
State Board of Equalization )

Now therefore, the People of the City of Pittsburg, DO ORDAIN as follows:

SECTION 1.

A. The City of Pittsburg has faced decreasing revenues, including a twenty-six percent decrease in sales and property taxes since 2008, amounting to a loss of approximately \$2.6 million, and costs of providing essential city services to residents continue to increase.

B. The national and state recession has resulted in a weak economy best evidenced by several years of declining development activity revenue, significant decreases in property and transfer tax revenues, raids on City revenues by the State of California, increased retirement costs and increased insurance costs.

C. The City has taken steps to increase revenue and decrease expenditures, including but not limited to, updating charges for services in order to ensure that users are paying for their fair share of costs. Despite these measures, however, it is expected that the City's General Fund will continue to decline.

D. The City has cut funding to community events, capped contributions to employees' medical insurance premiums and provides reduced retirement benefits to new employees in an effort to minimize expenses.

E. In an attempt to reduce costs, the fiscal year 2011-12 budget called for leaving four (4) police department positions vacant, eliminating funding for police and maintenance employees at City events, and eight (8) layoffs that resulted from eliminating approximately (14) positions.

F. Without increased revenues the City will have to further cut programs, including a reduction in police services, cuts to senior services, code enforcement and other vital community services necessary for the preservation of public peace, health and safety.

G. The City is committed to maintaining public safety, including gang enforcement and code enforcement, and does not want to make further cuts to community services, including the Senior Center.

H. This measure would create a guaranteed local source of funding for public safety in

order to avoid cuts to other important services offered by the City. All funds from a local measure must stay in Pittsburg to maintain local services, and the funds cannot be taken by the State. A local increase in the Sales Transaction and Use Tax would ensure fiscal accountability to maintain local services and would be reported on annually to the City Council.

SECTION 2. Amendment of Pittsburg Municipal Code. Chapter 3.08 of Title 3 of the Pittsburg Municipal Code is hereby amended as set forth below.

3.08.010 Title.

This Ordinance shall be known as the "Pittsburg Preservation of Citywide Services Temporary Funding Transactions and Use Tax Ordinance.", as modified by the "Pittsburg Preservation of Citywide Services Short-Term Funding Transactions and Use Tax Ordinance." The City of Pittsburg shall hereinafter be called "City." This Ordinance shall be applicable in the incorporated territory of the City.

3.08.020 Operative Date.

[Unchanged]

3.08.030 Purpose.

[Unchanged]

3.08.040 Contract with State.

[Unchanged]

3.08.050 Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one-half of one percent (0.5%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance through and including fiscal year 2034-2035.

3.08.060 Place of Sale.

[Unchanged]

3.08.070 Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one-half of one percent (0.5%) of the sales price of the property. Such rate shall be imposed for a period through and including fiscal year 2034-2035.

3.08.080 Adoption of Provisions of State Law.

[Unchanged]

3.08.090. Limitations on Adoption of State Law and Collection of Use Taxes.

]Unchanged]

3.08.100 Permit Not Required.

[Unchanged]

3.08.110 Exemptions and Exclusions.

[Unchanged]

3.08.120 Amendments.

[Unchanged]

3.08.130 Enjoining Collection Forbidden.

[Unchanged]

3.08.140 Citizens Oversight Committee.

[Unchanged]

3.08.150 Termination Date.

The authority to levy the tax imposed by this Chapter shall expire at the end of fiscal year 2034-2035.

SECTION 3. Severability.

[Unchanged]

SECTION 4. Effective Date and Publication. This Ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately.

IT IS HEREBY CERTIFIED that the foregoing Ordinance was APPROVED by the following vote of the People of the City of Pittsburg on June 7, 2016:

Yes: \_\_\_\_\_ No: \_\_\_\_\_ Total: \_\_\_\_\_

IT IS HEREBY FURTHER CERTIFIED that the foregoing Ordinance was adopted by Declaration of the June 7, 2016 election results by the City Council of the City of Pittsburg on \_\_\_\_\_, 2016, by the following vote, to wit:

AYES:  
NOES:  
ABSTAINED:  
ABSENT:

\_\_\_\_\_  
BR Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Alice E. Evenson, City Clerk

Property Tax and Sales Tax Revenue Trends  
 FY 2007-08 through budgeted 2015-16

Revenue	Base Year 2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	Budgeted 2015-16
Property Tax Secured	2,219,476	2,176,078	1,681,155	1,666,015	1,701,146	1,495,985	1,866,225	2,245,040	2,442,582
Property Tax Unsecured	326,414	342,339	366,481	306,262	326,128	326,964	341,877	330,435	310,000
Supplemental	394,867	289,551	170,372	176,604	122,915	161,367	199,805	202,878	200,000
Prior Year	(108,165)	(43,429)	(179,890)	(84,582)	(199,150)	(151,042)	(111,808)	67,992	(50,000)
Unitary	40,334	44,049	50,529	50,447	286,193	256,265	232,545	275,138	250,000
Homeowners Tax Relief	109,041	104,908	95,788	95,451	92,485	87,461	84,676	83,483	85,000
AB 1290 Pass Through	434,951	405,565	126,139	135,942	130,721	-	-	-	-
Motor Vehicle In-lieu	283,853	216,390	187,926	160,428	32,141	61,024	-	27,198	-
Motor Vehicle In-lieu backfill	4,587,828	4,498,021	3,831,533	3,776,221	3,726,763	3,666,471	3,795,560	4,141,833	4,514,598
Property Tax Related Revenues	8,288,599	8,033,472	6,330,033	6,282,788	6,219,342	5,904,495	6,408,880	7,373,997	7,752,180
Prior Year Sales Tax Revenues	832,166	-	-	-	-	-	-	-	-
Sales & Use Taxes	5,492,219	5,280,216	4,280,079	4,300,627	4,728,090	6,743,546	5,309,723	6,040,080	6,652,188
Sales & Use Taxes Backfill	1,803,329	1,887,179	1,718,573	1,137,727	1,440,600	1,490,934	3,109,159	1,046,985	1,510,303
Total Sales Tax Revenues	8,127,714	7,167,395	5,998,652	5,438,354	6,168,690	8,234,480	8,418,882	7,087,065	8,162,491
Total Property & Sales Tax Revenues	16,416,313	15,200,867	12,328,685	11,721,142	12,388,032	14,138,975	14,827,762	14,461,062	15,914,671
Percentage Difference from 2007-08		-7%	-25%	-29%	-25%	-14%	-10%	-12%	-3%

City of Pittsburg  
Slow Recovery Fact Sheet

	<b>Fiscal Year 2007-08</b>	<b>Fiscal Year 2014-15</b>
City Employees	315	240
Residents	63,652	68,000
RDA Funds Available	\$44,896,071	\$0
RDA Funds for Road Rehabilitation	\$2,000,000	\$0
Streets Repaired (Square feet)	133,103	46,905
Property Tax Revenue	\$3,571,600	\$3,237,582
 Public Safety:		
Police calls for Service	70,707	77,947
Patrol Units	52	63
Law violations:		
Part I and Part II crimes	8,117	8,168
Physical arrests	3,955	3,204
Traffic violations	1,163	735
 Community Amenities:		
Small World Park Attendance	17,376	28,420
Senior Center Participants	15,735	22,423
City Parks	21	24
California Theatre Attendees	-	9,000



OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR  
65 Civic Avenue  
Pittsburg, CA 94565

**DATE:** 12/7/2015

**TO:** Mayor and Council Members

**FROM:** Joe Sbranti, City Manager

**SUBJECT:** Adoption of a City Council Resolution Unanimously Declaring an Emergency in the City of Pittsburg related to future funding of Police, Youth and Senior Services and Road Preservation

**MEETING DATE:** 12/14/2015

**EXECUTIVE SUMMARY**

The City is facing an emergency starting in Fiscal Year 2017-18 with the partial expiration of the Measure P sales tax. Without an extension of the existing sales tax at its current rate (one-half percent/dollar 0.5%), the City will be unable to maintain its financial viability at current staffing and service levels for Police, Senior Center services, economic development/job creation and to provide funds needed to make repairs to local streets. The City will face risks as to public health, safety and welfare.

**FISCAL IMPACT**

Potential impacts on the City from a declaration of emergency and potential continuation of the sales tax measure at its current level include the election-related costs of approximately \$90,000. Without a continuation of the Measure P Sales Tax at its current level, the City is facing a loss of approximately \$1.4 million annually during the fiscal years 2017-18 to 2021-22. Thereafter the loss is expected to be approximately \$3.6 million plus inflation growth in revenue annually through fiscal year 2034-35. If there is no continuation of the Measure P Sales Tax at its current level, the loss of funding will lead to additional pressures on the City's finances used to provide needed City services, with possible decreases in police services, thus threatening the public health, welfare and safety of the Pittsburg community. With the proposed continuation, Measure P funds can continue to support police activities in Pittsburg, retain services offered to both Seniors and Youth and address the underfunding of projects for road repairs.

**RECOMMENDATION**

City Council approve the attached resolution to declare an emergency based upon the reduction of future sales tax revenues generated by the reduction and future elimination of

Measure P in fiscal years 2017-18 and 2021-22. Further, staff recommends that the City Council authorize a revenue measure be placed before voters in June 2016 to continue Measure P at the current rate thru the end of fiscal year 2034-35.

## **BACKGROUND**

During the economic recession that began in 2008, the City's annual revenues from sales taxes and property taxes fell \$4.6 million, reducing the funding available to provide essential City services. In response, the City reduced staff, eliminated non-essential services, and signed contracts with private companies to operate the golf course and youth recreation programs. City employees, including police officers, agreed to reduce medical and retirement benefits. Even with those cuts, for fiscal year 2011-12, the City needed \$2 million from its Budget Stabilization Fund to balance the budget, and anticipated a \$2.7 million General Fund deficit for fiscal year 2012-13.

Prior to placing Measure P on the ballot in 2012, the City Council unanimously determined that an emergency existed, potentially impacting the community's health, safety and welfare that necessitated asking the voters for approval as soon as possible, allowing the City to address an impending structural deficit.

At that time, staff advised the City Council and the Pittsburg community that the City's General Fund was, and was projected to be, significantly out of balance. An unprecedented combination of circumstances had resulted in projected deficits far beyond the City's capacity to absorb them. The major reasons for the ongoing and projected deficits were the effects of a national and state recession resulting in three years of declining development activity revenue, significant decreases in property and transfer tax revenues, raids on City revenue by the State of California, increased retirement costs (primarily associated with CALPERS investment losses), and increasing health insurance.

The fiscal year 2010-11 Budget represented the full impact of General Fund source revenue reductions totaling \$4.7 million, representing a 29% loss of funding for essential public services since fiscal year 2007-08. In response to the severe decrease in revenue, the City Council froze or eliminated numerous positions and reduced maintenance of every City Park and all City facilities, roads, landscaping, and street trees. By doing so, the City was accepting that its essential infrastructure would deteriorate and become more expensive to maintain over time, in the interest of continuing to provide basic services and its own Police Department.

In June 2012, 73% of Pittsburg voters voted to approve Measure P in order to prevent deeper cuts to essential city services for Pittsburg residents. Measure P has since provided the City with a guaranteed source of local funding for City services that cannot be taken by the State and has helped maintain the financial viability of the City. Since voters enacted Measure P, the City has maintained a full-service Police Department, with the ability to prevent and investigate property, domestic violence and other types of crime. Without continuing Measure P revenue at its current level, City policing could be reduced, thus affecting the community's health, welfare and safety.

Currently the General Fund (Fund 110) uses the Measure P Sales Tax funds to provide operations at the Police Department, the Senior Center and Economic Development programs within the City. By continuing Measure P at the current sales tax rate through Fiscal Year 2034-35, the General Fund will be able to reverse the pending strain on the City's finances, personnel and general services throughout the City. The continuation is for

a limited duration and will sunset at the end of fiscal year 2034-35, allowing the City to maintain fiscal stability throughout the remaining life of the previous Redevelopment Agency of the City of Pittsburg (RDA). After the previous RDA dissolves, property taxes associated with the RDA will revert to the City and eliminate the need for this gap funding to maintain current services throughout the City.

Without further action, half of the revenue measure will expire in 2017, resulting in the loss of more than \$1.4 million for essential City services, thus causing a detrimental effect on Pittsburg residents. As discussed in more detail below, Measure P was necessary to address a structural budget deficit while maintaining basic services such as the City's Police Department, services at the Senior Center and Economic Development programs within the City.

If Measure P is allowed to reduce or expire, based upon current economic factors that could not be foreseen when Measure P was adopted, (see attached slow recovery fact sheet) the City Council will be faced with difficult choices to implement, including severe reductions in City services. The City will be at risk for adverse effects on public health, safety, and welfare. Extending Measure P at its current level until June 2035 will protect local, high-quality services and ensure the City's Police Department has the resources it needs to maintain staffing levels, and will also provide seed money for a Family Justice Center to serve local residents. Development of a regional Family Justice Center will provide services at a single location for people affected by domestic violence, sexual assault, elder and child abuse and human trafficking.

Continuation of Measure P at its current level, and its related extension, would also allow the City to begin to address the \$34.7 million in deferred maintenance of Pittsburg streets. To keep pace with the wear and tear on roadways in the City, the City must spend \$3.5 million every year on pavement preservation projects on major streets to keep them at 'fair' or 'good' condition. Currently, the City is able to budget \$2.3 million per year, falling short more than \$1.2 million every year on what is needed to maintain local streets, and deferring to an often unspecified later date work on local streets in neighborhoods that are already at 'poor' or 'very poor' condition. The shortfall of funding will be complicated with the decay of the current street conditions over time. Without the funding to maintain the current condition of roads in Pittsburg, the City will see the \$34.7 million in deferred maintenance grow dramatically. In addition to the City seeking out local, regional and federal grant funds to pay for paving projects, the City is still faced with the loss of Redevelopment (RDA) funds and reductions in gas and other taxes previously available for road projects. These losses have contributed to the future emergency the City is attempting to circumvent prospectively rather than waiting for the event to happen.

As a result of those actions, the Council concluded in 2012 that the City had taken all reasonable steps available to reduce spending and still had not been able to bring expenditures in line with anticipated revenues; further spending reductions would require more dramatic cuts to essential public services that would result in threats to the general health, safety, and welfare of the residents of and businesses in Pittsburg resulting in Measure P being brought before the citizens of Pittsburg.

### **SUBCOMMITTEE FINDINGS**

The Finance Committee reviewed staff's proposals at its meeting on September 21, 2015, and supported the declaration of an emergency and call for a measure on the June 2016 ballot to extend the existing Measure P at the current rate through June 2035.

On May 5, 2015, the Measure P Citizens Oversight Committee presented its annual report to the Council and acknowledged the funds have been utilized in a manner consistent with the Measure P goals. At their April 14, 2015 committee meeting, members expressed concern about the future reduction of Measure P revenues and the effect it would have on future program funding. These concerns were previously noted at the Citizens Oversight Committee meeting held on May 8, 2014.

### **STAFF ANALYSIS**

The underlying factors that led to the emergency in 2012 and the proposal of Measure P have not abated in the intervening years. The housing market while recovering has not fully recovered and property tax revenue has not come back to the fiscal year 2007-08 levels. The City's sales tax base has just recovered to fiscal year 2007-08 levels, although without Measure P the sales tax revenue would still be under the fiscal year 2007-08 levels. The City's external costs, such as insurance and retirement obligations, have increased faster than revenues have grown. The structural deficit that the City faced then will return without this additional revenue. These issues were unforeseen when Measure P was approved and are beyond the City's control.

Based on the revenue needs described above, and the related threat to public health, welfare and safety, staff is recommending that the City Council declare an emergency and submit to the voters a proposed Measure P revenue measure extension at the current rate until June 2035 to protect general city services, including public safety priorities such as preventing and investigating theft and burglary crimes, domestic violence response services and maintaining Pittsburg's own city-run, local Police Department.

In order for a City Council to seek voter approval of a tax at an election other than an election for city council members, the California Constitution requires that the City Council unanimously declare that there is an emergency. By the adoption of a resolution declaring that an emergency exists in accordance with Article XIII C, Section 2(b) of the California Constitution, an election prior to November 2016 is permitted.

The need to submit a local revenue measure to the voters and the related threat to public health, welfare and safety, is imminent and by presenting it to the voters at the June 2016 election would provide additional revenue to the City in the fall of 2017, early enough in the fiscal year to address the emergency facing the City starting in fiscal year 2017-18.

ATTACHMENTS: Resolution  
Proposed Ordinance  
Property and Sales Tax Revenue Trends  
Slow Recovery Fact Sheet

Report Prepared By: Brad Farmer, Director of Finance

**RESOLUTION NO. 2016-06**

**RESOLUTION OF THE BOARD OF EDUCATION OF THE  
BRENTWOOD UNION SCHOOL DISTRICT ORDERING A  
SCHOOL BOND ELECTION, AND AUTHORIZING  
NECESSARY ACTIONS IN CONNECTION THEREWITH**

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**WHEREAS**, the Board of Education (the “Board”) of the Brentwood Union School District (the “District”), located within the County of Contra Costa, California (the “County”), is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the California Education Code (the “Education Code”); and

**WHEREAS**, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Education Code Sections 15100 *et seq.*; and

**WHEREAS**, pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, and Section 15266 of the Education Code, school districts may seek approval of bonds and levy an *ad valorem* tax to repay those bonds upon a 55% vote of those voting on a proposition for the purposes hereinafter specified, provided certain accountability measures are included in the proposition, including performance and financial audits and oversight by an independent citizens oversight committee to ensure that all funds are spent properly and as promised to the voters; and

**WHEREAS**, the Board deems it necessary and advisable to submit such a bond proposition to the electors, which, if approved by 55% of the votes cast, would permit the District to issue its bonds; and

**WHEREAS**, such a bond election must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election at which all of the electors of the District are entitled to vote, as required by Section 15266 of the Education Code; and

**WHEREAS**, on June 7, 2016, a statewide primary election is scheduled to be conducted throughout the District; and

**WHEREAS**, the Board has determined that, based upon a projection of assessed property valuation, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the maximum tax rate permitted by Section 15268 of the Education Code; and

**WHEREAS**, Section 9400 *et seq.* of the California Elections Code (the “Elections Code”) requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

**WHEREAS**, the Board now desires to authorize the filing of a ballot argument in favor of the bond proposition to be submitted to the voters at the election;

**NOW, THEREFORE**, be it resolved, determined and ordered by the Board of Education of the Brentwood Union School District as follows:

**Section 1.**     **Recitals.** All of the above recitals are true and correct.

**Section 2.**     **Specifications of Election Order; Required Certification.** Pursuant to Education Code Sections 5304, 5322, 15100 *et seq.*, and 15266, a special election shall be held within the boundaries of the District on June 7, 2016, for the purpose of submitting to the registered voters of the District the bond proposition contained in Exhibit A attached hereto and incorporated herein. In accordance with Section 1 of Article XIII A of the California Constitution, and as provided in the text of the bond proposition, the Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the bond project list set forth in the bond proposition.

**Section 3.**     **Conduct of Election.** (a) *Request to County Officers.* Pursuant to Section 5303 of the Education Code, the Registrar of Voters of the County (the “Registrar of Voters”) is required to, and is hereby requested to, take all steps to hold the election in accordance with law and these specifications.

(b) *Abbreviation of Proposition.* Pursuant to Section 13247 of the Elections Code and Section 15122 of the Education Code, the Board hereby directs the Registrar of Voters to use the following abbreviation of the bond proposition on the ballot:

*“To provide Brentwood students with 21st century classrooms, upgrade libraries and science labs, improve school safety and security, expand access to classroom technology for students and teachers, renovate and modernize older schools in the District, build a new elementary school, and replace, acquire, construct and renovate school facilities, shall the Brentwood Union School District issue \$158,000,000 in bonds, at legal interest rates, with an independent citizens’ oversight committee and no funds spent on administrators salaries?”*

(c) *Voter Pamphlet.* The Registrar of Voters is hereby requested to reprint the full text of the bond proposition as set forth in Exhibit A in its entirety in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code. In the event the full text of the bond proposition is not reprinted in the voter information pamphlet in its entirety, the Registrar of Voters is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

*“The above statement is an impartial analysis of Measure \_\_. If you desire a copy of the measure, please call the Contra Costa County Registrar of Voters at (925) 335-7800 or the Brentwood Union School District at (925) 513-6300, and a copy will be mailed at no cost to you. Measure \_\_ is also available on the Internet at <http://www.brentwood.k12.ca.us/>.”*

(d) *Accountability Safeguards.* In the event the full text of the bond proposition is not reprinted in the voter information pamphlet in its entirety, the Registrar of Voters is hereby requested to include the following statement in the ballot in compliance with Section 15272 of the Education Code:

*“If Measure \_\_ is approved, the Board of Education of the Brentwood Union School District will appoint a citizens’ oversight committee and conduct annual independent audits to assure that bond funds are spent only on the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and for no other purposes.”*

(e) *State Matching Funds.* The District has determined that the projects to be funded from the proposed bonds will not require State matching funds for any phase thereof, and that Section 15122.5 of the Education Code does not apply to the bond proposition, and accordingly, the Registrar of Voters is directed not to include the disclosure otherwise required by Section 15122.5 of the Education Code.

(f) *Consolidation Requirement.* Pursuant to Section 15266(a) of the Education Code, the election shall be consolidated with the statewide primary election on June 7, 2016, and pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Registrar of Voters and the Board of Supervisors of the County are hereby requested to order consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same.

(g) *Canvass of Results.* The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to Section 10411 of the Elections Code.

(h) *Required Vote.* Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, the bond proposition shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

(i) *Election Costs.* The District shall pay all costs of the election approved by the Board of Supervisors of the County pursuant to Education Code Section 5421.

**Section 4. Delivery of Order of Election to County Officers.** The Clerk of the Board of the District is hereby directed to cause to be filed as soon as practicable, and in any event no later than March 11, 2016 (which date is not fewer than 88 days prior to the date set for the election), one copy of this Resolution to the Registrar of Voters, including the tax rate statement attached hereto as Exhibit B, containing the information required by Elections Code Section 9400 *et seq.*, completed and signed by the Superintendent of the District, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of the County.

**Section 5. Ballot Arguments.** The President of the Board, or any member or members of the Board as the President shall designate, are hereby authorized, but not directed, to prepare and file with the Registrar of Voters a ballot argument in favor of the bond proposition, within the time established by the Registrar of Voters, which shall be considered the official ballot argument of the Board as sponsor of the bond proposition.

**Section 6. Further Authorization.** The members of the Board, the Superintendent of the District, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution in accordance with the terms hereof and of applicable provisions of law.

**Section 7.** **Effective Date.** This Resolution shall take effect upon its adoption by a two-thirds vote.

**PASSED AND ADOPTED** this day, February 24, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

---

Carlos Sanabria, President of the Board of  
Education of the Brentwood Union School District

Attest:

---

Scott Dudek, Clerk of the Board of Education  
of the Brentwood Union School District

## **EXHIBIT A**

### **FULL TEXT OF BOND PROPOSITION**

#### **BRENTWOOD UNION SCHOOL DISTRICT CONSTRUCTION, RENOVATION AND IMPROVEMENT MEASURE**

This Proposition may be known and referred to as the “Brentwood Union School District Construction, Renovation and Improvement Measure” or as “Measure \_\_\_”. *[designation to be assigned by County Registrar of Voters]*

#### **BOND AUTHORIZATION**

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Brentwood Union School District (the “District”) shall be authorized to issue and sell bonds of up to \$158,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed under the heading entitled “BOND PROJECT LIST” below (the “Bond Project List”), subject to all of the accountability safeguards specified below.

#### **ACCOUNTABILITY SAFEGUARDS**

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Sections 15264 and following of the California Education Code (the “Education Code”).

**Evaluation of Needs.** The Board of Education of the District (the “Board”) has prepared an updated facilities master plan in order to evaluate and address all of the facilities needs of the District at each campus and facility, and to determine which projects to finance from a local bond at this time. The Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

**Limitations on Use of Bonds.** Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, including, to the extent permitted by law, the acquisition or lease of real property in connection with an existing or future financing of the specific school facilities projects listed in the Bond Project List, including the prepayment of existing or future interim lease, certificate of participation or lease revenue bond financings, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

**Independent Citizens' Oversight Committee.** The Board shall establish an independent citizens' oversight committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board. In accordance with Section 15282 of the Education Code, the citizens' oversight committee shall consist of at least seven members and shall include a member active in a business organization representing the business community located within the District, a member active in a senior citizens' organization, a member active in a bona fide taxpayers' organization, a member that is a parent or guardian of a child enrolled in the District, and a member that is both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization. No employee or official of the District and no vendor, contractor or consultant of the District shall be appointed to the citizens' oversight committee.

**Annual Performance Audits.** The Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for performance audits. The results of these audits shall be made publicly available and shall be submitted to the citizens' oversight committee in accordance with Section 15286 of the Education Code.

**Annual Financial Audits.** The Board shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for financial audits. The results of these audits shall be made publicly available and shall be submitted to the citizens' oversight committee in accordance with Section 15286 of the Education Code.

**Special Bond Proceeds Account; Annual Report to Board.** Upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent of the District shall cause a report to be filed with the Board no later than January 1 of each year, commencing January 1, 2017, stating (a) the amount of bond proceeds received and expended in that year, and (b) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent of the District shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

## **FURTHER SPECIFICATIONS**

**Joint-Use Projects.** The District may enter into agreements with other public agencies or nonprofit organizations for joint use of school facilities financed with the proceeds of the bonds in accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby specifies and acknowledges that bond funds will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board shall determine.

**Single Purpose.** All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and proceeds of the bonds shall be spent only for such purpose, pursuant to California Government Code Section 53410.

**Bonds may be Issued in Excess of Statutory Bonding Limit.** Issuance of all of the authorized bonds might require the outstanding debt of the District to exceed its statutory bonding limit of 1.25% of the total assessed valuation of taxable property in the District. In that event, the District intends to seek a waiver of its bonding limit from the State Board of Education, which has the power to waive certain requirements of the Education Code applicable to the District. By approval of this proposition, the voters have authorized the District to seek such a waiver, and to issue authorized bonds in excess of the 1.25% limit as the State Board of Education may approve. No such waiver has yet been sought or granted.

**Other Terms of the Bonds.** When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest shall be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than the statutory maximum number of years from the date borne by that bond.

## **BOND PROJECT LIST**

The Bond Project List below lists the specific projects the District proposes to finance with proceeds of the bonds. The Bond Project List shall be considered a part of the bond proposition and shall be reproduced in any official document required to contain the full statement of the bond proposition. Listed projects will be completed as needed at a particular school or facility site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. Each project is assumed to include its share of costs of the election and bond issuance, construction-related costs, such as project and construction management, architectural, engineering, inspection and similar planning and testing costs, demolition and interim housing costs, legal, accounting and similar fees, costs related to the independent annual financial and performance audits, a contingency for unforeseen design and construction costs, and other costs incidental to and necessary for completion of the listed projects (whether the

related work is performed by the District or third parties). The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources have not yet been secured. Therefore, the Board cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Alternatively, if the District obtains unexpected funds from non-bond sources with respect to listed projects, such projects may be enhanced, supplemented or expanded to the extent of such funds. Some projects may be subject to further government approvals, including by State officials and boards and/or local environmental or agency approval. Inclusion of a project on the Bond Project List is not a guarantee that the project will be completed.

The specific projects authorized to be financed with proceeds of the bonds under this proposition are as follows:

<b>CONSTRUCTION, RENOVATION AND IMPROVEMENT PROJECTS</b>	
<b>The following projects are authorized to be financed at all school sites and support facilities, including:</b>	
<b>Adams Middle School</b>	<b>Loma Vista Elementary School</b>
<b>Brentwood Elementary School</b>	<b>Marsh Creek Elementary School</b>
<b>Bristow Middle School</b>	<b>Mary Casey Black Elementary School</b>
<b>Edna Hill Middle School</b>	<b>Pioneer Elementary School</b>
<b>Garin Elementary School</b>	<b>Ron Nunn Elementary School</b>
<b>Krey Elementary School</b>	
<b>CLASSROOMS AND SCHOOL FACILITIES</b>	
<ul style="list-style-type: none"> <li>• Construct and equip new classrooms, classroom buildings, laboratories, school support facilities, music, theater, dance and other arts facilities, libraries, lecture halls, restrooms, building connections, and operations and maintenance facilities.</li> <li>• Modernize, upgrade, renovate, rehabilitate, re-configure, expand, upgrade and equip classrooms, classroom buildings, laboratories, restrooms, common areas and school support facilities, including library, multipurpose room/auditorium, food storage, preparation and service, cafeteria, music, theater, dance and other arts, career and technical education, preschool, operations and maintenance, and office, staff and administrative support facilities, whether permanent, portable or modular, including interior and exterior (as applicable) doors, windows, door and window hardware, roofs, rain gutters and downspouts, walls, ceilings and floors and finishes, paint, siding, insulation, casework, cabinets, secured storage, carpets, drapes, window coverings, infrastructure, lighting, sinks, drinking fountains, fixtures, signage, fencing, landscaping, furniture and equipment.</li> <li>• Renovate, restore, re-configure and/or modernize portable buildings or replace such buildings with permanent or modular buildings.</li> <li>• Construct, renovate, restore, re-configure and/or modernize multi-purpose/performing art centers at middle schools.</li> <li>• Furnish and equip classrooms and other school facilities, including, but not limited to, desks, chairs and classroom furniture, science and lab equipment, school-site maintenance equipment, copy machines, “cubicle” partitions, chairs, storage units and school office equipment, including initial purchases and continued replacement of equipment and furniture as needed.</li> </ul>	

- Improve, correct, restore or renovate grounds, buildings and structures or portions thereof to eliminate or mitigate health and safety risks to students, faculty, staff, parents and the public or comply with local, state and federal building, health, safety, access and other related requirements, including seismic safety requirements, Field Act requirements and access requirements of the Americans with Disabilities Act (ADA).
- Inspect buildings and other structures and renovate, replace and/or improve such structures to eliminate/mitigate any structural deficiencies or dry rot, termite, mold or similar damage or hazards.

All or portions of these projects may be used as joint-use projects within the meaning of Section 17077.42(c) of the Education Code (or any successor provision).

### **EXTERIOR & GROUNDS IMPROVEMENTS**

- Acquire and install exterior safety lighting.
- Acquire and install safety and security systems, hardware and fixtures.
- Acquire and install campus signage.
- Construct, improve, replace, renovate and rehabilitate walkways, covered walkways, breezeways and sidewalks.
- Landscape and improve irrigation and drainage of grounds.
- Expand or construct new storage and maintenance buildings and/or facilities.
- Install, improve, replace or upgrade exterior campus fencing.
- Resurface, refurbish, renovate and paint building exteriors as needed.
- Construct, modernize, improve, renovate, replace, reconfigure, convert, and equip quads, courtyards and other outdoor areas, including installation or improvement of seating, tables and outdoor gathering amenities.
- Renovate, repair, resurface, upgrade, expand, construct and/or install and improve paved and other hard surfaces (including playgrounds), benches, walls, gates, fencing, play areas, quads, courtyards, outside instructional areas, playfields, and running tracks, including physical education fields and related facilities, and acquire, improve, replace and/or upgrade playground, physical education and outdoor area equipment and fixtures.

All or portions of these projects may be used as joint-use projects within the meaning of Section 17077.42(c) of the Education Code (or any successor provision).

### **TECHNOLOGY, ENERGY & INFRASTRUCTURE IMPROVEMENTS**

- Acquire, install, upgrade and/or construct renewable energy and/or energy-saving systems, improvements and equipment, including electricity generation and distribution systems and/or water heating systems, natural light improvements, upgraded insulation and roofing, efficient lighting, windows and window coverings, shade structures, energy management and conservation systems, and other passive technologies, and structures to support such systems, improvements and equipment and related infrastructure. Renewable energy and/or energy-saving systems include existing systems as well as systems developed in the future.
- Acquire and install technology equipment, fixtures and infrastructure, including computers, tablets, mobile devices, software, interactive educational technology, digital projectors and cameras, monitors, audio systems, video systems, network equipment (including servers, network interface devices, network switches and routers, wireless network equipment, firewalls, network security equipment,

racking, power and cooling equipment, wiring and uninterruptible power supplies), etc; rehabilitate and replace such equipment, fixtures and infrastructure as needed in the future. Technology equipment, fixtures and infrastructure includes existing technology equipment, fixtures and infrastructure as well as technology equipment, fixtures and infrastructure developed in the future.

- Construct, improve, replace, renovate and rehabilitate internet or other network access systems, and telephone, radio, fire alarm, public address, intrusion alarm and surveillance and other security systems.
- Renovate, replace, upgrade, acquire, install and/or integrate major site/building/utility systems, equipment and related infrastructure and housing, including lighting, plumbing, electrical (including wiring and related infrastructure for modern technology), heating, refrigeration, cooling and ventilation, water, sewer, gas, irrigation, drainage, and energy efficiency/management monitoring systems, networks, fixtures, equipment and controls.

All or portions of these projects may be used as joint-use projects within the meaning of Section 17077.42(c) of the Education Code (or any successor provision).

### **NEW SCHOOL CONSTRUCTION**

Acquisition and construction of a new elementary school, and if determined to be needed in the discretion of, and as determined by, the Board of Education of the District, a new middle school, and, in each case, related facilities, including:

- Acquisition of land and any rights-of-way and easements made necessary by construction of such facilities.
- Planning, designing, and constructing the school and related facilities, including costs related to construction services, architectural design, engineering, site inspection and testing services and plan review fees.
- Associated onsite and offsite development, demolition of existing structures, and other improvements made necessary for construction of such facilities.
- Construction of such school and related facilities and grounds, including necessary supporting infrastructure.
- Acquisition and installation of furnishings and equipment related to the constructed facilities.

All or portions of these facilities may be used as joint-use projects within the meaning of Section 17077.42(c) of the Education Code (or any successor provision).

### **MISCELLANEOUS**

**All listed bond projects include the following as needed:**

- Planning, designing and providing temporary housing necessary for listed bond projects.
- The inspection, sampling and analysis of grounds, buildings and building materials to determine the presence of hazardous materials or substances, including asbestos, lead, etc., and the encapsulation, removal, disposal and other remediation or control of such hazardous materials and substances.
- Necessary onsite and offsite preparation or restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable buildings, including demolition of structures; removing, replacing, or installing irrigation, drainage, utility lines (gas, water, sewer, electrical, data and voice, etc.), trees and landscaping; relocating fire access roads; and acquiring any necessary easements, licenses, land or rights of way made necessary by listed bond projects.

- Address other unforeseen conditions revealed by construction, renovation or modernization (including plumbing or gas line breaks, dry rot, seismic and structural deficiencies, etc.).
- Demolition of existing facilities and reconstruction of facilities scheduled for modernization, if the Board of Education of the District determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses.
- Acquire or construct storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction.
- Furnishing and equipping of classrooms and other school facilities; furnishing and equipping shall include initial purchases, and scheduled and necessary replacements, upgrades and updating of technology.
- All other costs and work necessary and incidental to the listed bond projects.
- Acquisition of all or a portion of any school site or facility, or an interest therein, or make lease payments with respect to any school site or facility, encumbered in order to finance or refinance the listed bond projects pursuant to a lease, certificate of participation or lease revenue bond financing.

## **EXHIBIT B**

### **TAX RATE STATEMENT**

An election will be held in the Brentwood Union School District (the “District”) on June 7, 2016, to authorize the sale of up to \$158,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to issue the Bonds in multiple series over time. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400 through 9404 of the California Elections Code.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 2.750 cents per \$100 (\$27.50 per \$100,000) of assessed valuation in fiscal year 2016-17.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 2.795 cents per \$100 (\$27.95 per \$100,000) of assessed valuation in fiscal year 2025-26.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 2.800 cents per \$100 (\$28.00 per \$100,000) of assessed valuation in fiscal year 2033-34.
4. The best estimate of the total debt service, including the principal and interest, that would be required to be repaid if all of the bonds are issued and sold is \$393,288,851.

Voters should note that estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County’s official tax rolls, *not* on the property’s market value, which could be more or less than the assessed value. In addition, taxpayers eligible for a property tax exemption, such as the homeowner’s exemption, will be taxed at a lower effective tax rate than described above. Certain taxpayers may also be eligible to postpone payment of taxes. Property owners should consult their own property tax bills and tax advisors to determine their property’s assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District’s projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply, and the actual total debt service, may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors, including the legal limitations on bonds approved by a 55% affirmative vote. The actual interest rates at which the bonds will be sold will depend on the bond market at the

time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Dated: \_\_\_\_\_, 2016.

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Superintendent of Schools  
Brentwood Union School District

**CLERK'S CERTIFICATE**

I, Scott Dudek, Clerk of the Board of Education of the Brentwood Union School District, of the County of Contra Costa, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of the District duly and regularly held at the regular meeting place thereof on February 24, 2016, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present. The resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

An agenda of the meeting was posted at least 72 hours beforehand at 255 Guthrie Lane, Brentwood, California, a location freely accessible to members of the public, and a brief description of the adopted resolution appeared on the agenda. A copy of the agenda is attached hereto. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Scott Dudek, Clerk of the Board of Education  
Brentwood Union School District

FILED

16 MAR 10 AM 10:30

LAFAYETTE SCHOOL DISTRICT

CONTRA COSTA COUNTY  
ELECTION DEPARTMENT

RESOLUTION NO. 14-1516

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE LAFAYETTE SCHOOL DISTRICT ORDERING A SCHOOL BOND ELECTION, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the Board of Trustees (the "Board") of the Lafayette School District (the "District"), within Contra Costa County, California (the "County"), is authorized to order elections within the District and to designate the specifications thereof, pursuant to sections 5304 and 5322 of the California Education Code (the "Education Code");

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to section 15100 *et seq.* of the California Education Code;

WHEREAS, pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution, and section 15266 of the California Education Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a 55% vote of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition;

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors to be approved by 55% of the votes cast;

WHEREAS, such a bond election must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election, as required by section 15266 of the California Education Code;

WHEREAS, on June 7, 2016, a statewide primary election is scheduled to occur throughout the District;

WHEREAS, pursuant to section 15268 California Education Code, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed \$30 per year per \$100,000 of assessed valuation of taxable property;

WHEREAS, section 9400 *et seq.* of the California Elections Code requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; and

NOW, THEREFORE, be it resolved, determined and ordered by the Board of Trustees of the Lafayette School District as follows:

*Section 1. Specifications of Election Order.* Pursuant to sections 5304, 5322, 15100 *et seq.*, and section 15266 of the California Education Code, an election shall be held within the boundaries of the District on June 7, 2016, for the purpose of submitting to the registered voters of the District the following proposition:

#### BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the District shall be authorized to issue and sell bonds of up to \$70,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List attached hereto as Exhibit A, subject to all of the accountability safeguards specified below. Bonds will be issued in one or more series.

#### ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent wisely to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at section 15264 *et seq.* of the California Education Code).

*Evaluation of Needs.* The Board of Trustees has prepared its Capital Investment Program in order to evaluate and address all of the facilities needs of the District, and to determine which projects to finance from a local bond at this time. The Board of Trustees hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained in Exhibit A.

*Independent Citizens' Oversight Committee.* The Board of Trustees shall establish an independent Citizens' Oversight Committee (section 15278 *et seq.* of the California Education Code), to ensure bond proceeds are expended only for the school facilities projects listed in Exhibit A. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board of Trustees.

*Annual Performance Audits.* The Board of Trustees shall cause to conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in Exhibit A.

*Annual Financial Audits.* The Board of Trustees shall cause to conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in Exhibit A.

*Special Bond Proceeds Account; Annual Report to Board.* Upon approval of this proposition and the sale of any bonds approved, the Board of Trustees shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent shall cause a report to be filed with the Board no later than January 1 of each year, commencing January 1, 2017, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

### BOND PROJECT LIST

The Bond Project List attached to this resolution as Exhibit A shall be considered a part of the ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

The Bond Project List, which is an integral part of this proposition, lists the specific projects the District proposes to finance with proceeds of the Bonds. Such projects will be completed as needed. Each project is assumed to include its share of costs of the election and bond issuance, architectural, engineering, and similar planning costs, construction management, and a customary contingency for unforeseen design and construction costs. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Therefore the Board of Trustees cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects.

### FURTHER SPECIFICATIONS

*No Administrator Salaries.* Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

*Single Purpose.* All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to section 15100 of the California Education Code, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and proceeds of the bonds shall be spent only for such purpose, pursuant to section 53410 of the California Government Code.

*Other Terms of the Bonds.* When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest will be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature later than shall be permitted by law.

*Section 2. Ballot Proposition.* Pursuant to section 13247 of the California Elections Code and section 15122 of the California Education Code, the Board hereby directs the Registrar of Voters to use the following abbreviation of the bond proposition on the ballot:

“To upgrade aging neighborhood elementary and middle schools, avoid overcrowding, and modernize classrooms for today’s curriculum, including math, science, technology and arts, shall Lafayette School District repair or replace deteriorated roofs, plumbing, and electrical systems; update classrooms, labs and instructional technology; improve school safety/security; and acquire, construct, renovate, equip sites/facilities, by issuing \$70,000,000 in bonds at legal rates, with independent citizen oversight, no administrators’ salaries, and all funds dedicated locally to Lafayette TK-8 schools?”

*Section 3. Voter Pamphlet.* The Registrar of Voters of the County is hereby requested to reprint Section 1 hereof (including Exhibit A hereto) in its entirety in the voter information pamphlets to be distributed to voters pursuant to section 13307 of the California Elections Code. In the event Section 1 is not reprinted in the voter information pamphlets in its entirety, the Registrar of Voters of the County is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

“The above statement is an impartial analysis of Measure \_\_\_\_\_. If you desire a copy of the measure, please call the Contra Costa County Registrar of Voters at (925) 335-7800 and a copy will be mailed at no cost to you.”

*Section 4. Required Vote.* Pursuant to section 18 of Article XVI and section 1 of Article XIII A of the State Constitution, the above proposition shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

*Section 5. Matching Funds.* Pursuant to section 15122.5 of the California Education Code, the District hereby requests that the Registrar of Voters of the County include the following statement in the ballot pamphlet:

Approval of Measure \_\_\_\_\_ does not guarantee that the proposed project or projects in the Lafayette School District that are the subject of bonds under Measure \_\_\_\_\_ will be funded beyond the local revenues generated by Measure \_\_\_\_\_. The school district's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

*Section 6. Request to County Officers to Conduct Election.* The Registrar of Voters of the County is hereby requested, pursuant to section 5322 of the California Education Code, to take all steps to call and hold the election in accordance with law and these specifications.

*Section 7. Consolidation Requirement; Canvass.*

(a) Pursuant to section 15266(a) of the California Education Code, the election shall be consolidated with the statewide primary election on June 7, 2016.

(b) The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to section 10411 of the California Elections Code.

*Section 8. Delivery of Order of Election to County Officers.* The Clerk of the Board of Trustees of the District is hereby directed to deliver, no later than March 11, 2016 (which date is more than 88 days prior to the date set for the election), one originally signed copy of this Resolution to each of the County Superintendent of Schools and the County Registrar of Voters, including all exhibits, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of the County.

*Section 9. Ballot Arguments.* The members of the Board are hereby authorized, but not directed, to prepare and file with the Registrar of Voters of the County a ballot argument in favor of the proposition contained in Section 1 hereof, within the time established by the Registrar of Voters of the County.

*Section 10. Further Authorization.* The members of this Board, the Superintendent, and all other officers of the District are hereby authorized, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution.

*Section 11. Effective Date.* This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this 9th day of March, 2016, by the following vote:

AYES: 5

NAYS: 0

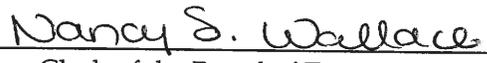
ABSTAIN: 0

ABSENT: 0

APPROVED:

  
\_\_\_\_\_  
President of the Board of Trustees of the  
Lafayette School District

Attest:

  
\_\_\_\_\_  
Clerk of the Board of Trustees of the  
Lafayette School District

CLERK'S CERTIFICATE

I, , Clerk of the Board of Trustees of the Lafayette School District, of Contra Costa County, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a meeting of the Board of Trustees of the District duly and regularly held at the regular meeting place thereof on March 9, 2016, and entered in the minutes thereof, of which meeting all of the members of the Board of Trustees had due notice and at which a quorum thereof was present. The resolution was adopted by the following vote:

AYES: 5

NOES: 0

ABSTAIN: 0

ABSENT: 0

At least 24 hours before the time of said meeting, a written notice and agenda of the meeting was mailed and received by or personally delivered to each member of the Board of Trustees not having waived notice thereof, and to each local newspaper of general circulation, radio, and television station requesting such notice in writing, and was posted in a location freely accessible to members of the public, and a brief description of the resolution appeared on said agenda.

I have carefully compared the same with the original minutes of the meeting on file and of record in my office. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this 9<sup>th</sup> day of March, 2016.

Nancy S. Wallace  
Clerk of the Board of Trustees  
Lafayette School District

## EXHIBIT A

### LAFAYETTE SCHOOL DISTRICT

#### BOND PROJECT LIST

The Board of Trustees of the Lafayette School District evaluated the District's critical facility needs over an 18 month period in 2014-2016, including safety issues, repair and renovation needs, enrollment trends, class sizes, instructional best practices, changing education/information technology needs and other factors, in developing the scope of capital projects to be undertaken and funded through the proposed bond program. Prior to preparing the Project List, the District conducted a comprehensive facilities assessment, receiving input from teachers, staff, parents, community members and the public. The Board concluded upon this comprehensive 18 month study involving numerous meetings held in public, that the District's most critical facilities needs must be addressed immediately in order to maintain the local quality of education; and further, that the longer the District waits to address these needs, the more pressing and expensive to repair its facilities needs will be. The District's Project List therefore includes:

#### **REPAIR, RENOVATE OR REPLACE AGING, DETERIORATED BUILDING SYSTEMS & INFRASTRUCTURE THROUGHOUT THE SCHOOL DISTRICT:**

**ALL Schools/Sites:** Stanley Middle School, Burton Valley Elementary School, Happy Valley Elementary School, Lafayette Elementary School, Springhill Elementary School, and the District Office.

#### **School Site Safety Projects**

- Upgrade/replace safety systems as required, including fire alarm systems, intrusion and security systems, telephones and communication systems as required to improve school security and safety.
- Renovate, repair, resurface and/or expand parking lots, student drop-off/pick-up areas, walkways, perimeter fencing, and exterior lighting to improve safety, security and accessibility.
- Upgrade/replace aging playground equipment with new, age-appropriate, code compliant playground equipment and safety surfacing.

#### **Core Infrastructure Projects**

- Repair or replace aging/deteriorated roofing, flashing, and waterproofing systems where necessary due to aging facilities or known water leaks.
- Repair or replace lighting, heating, ventilation, and air conditioning systems with energy efficient systems where necessary due to aging equipment.
- Repair and upgrade site utilities, such as storm water, sewer, water, and electrical services.

## **General Modernization**

- Repair, replace and/or improve classrooms, school buildings and other structures to eliminate/mitigate structural deficiencies or dry rot, termite, mold or similar damage or hazards.
- Repair or replace worn or outdated classroom and building interiors including walls, ceilings, and floor coverings, cabinetry, fixtures, doors and hardware.
- Renovate student and staff restrooms for health and ADA code compliance.
- Renovate aging, deteriorating building exteriors, siding, paint, windows and doors and hardware.
- Improvement, correction, repair or renovation of grounds, buildings and structures to comply with, local, state and federal building, health, safety, access and other related requirements, including seismic safety requirements, Field Act requirements and access requirements of the Americans with Disabilities Act (ADA).
- When practical and cost efficient, include in projects renewable energy and/or energy-saving systems, improvements and equipment, including electricity generation and distribution systems, purchase of existing systems currently installed under power purchase agreements, and/or water heating systems, natural light improvements, upgraded insulation, efficient lighting, windows and window coverings, shade structures, energy management and conservation systems, and other passive technologies, and structures to support such systems, improvements and equipment and related infrastructure.
- Improve, repair or renovate grounds and facilities as required to make such grounds and facilities accessible to the disabled.
- Make improvements to playfields, grass areas, hard courts and playgrounds. Add outdoor shade structures.

## **TECHNOLOGY UPGRADES THROUGHOUT THE SCHOOL DISTRICT:**

**ALL Schools/Sites:** Stanley Middle School, Burton Valley Elementary School, Happy Valley Elementary School, Lafayette Elementary School, Springhill Elementary School, and the District Office.

- Renovate/upgrade network and technology, including the acquisition and installation of technology equipment, improved electrical capacity and technology infrastructure, classroom and library technology, and teaching equipment.

## **SITE-SPECIFIC PROJECTS**

**(FOR REPAIR, UPGRADE, REPLACEMENT, or ADDITION at/to EXISTING SITES)**

### **Stanley Middle School**

- Construct a new classroom building to accommodate enrollment growth and replace portable classrooms that will provide a modern educational setting and equipment needed to teach core subjects like math, science, engineering and technology.
- Remodel or replace the aging special education and home economics classroom building.
- Remove portable classrooms from field, and relocate to another site, sell, or convert to support space

- Modify and improve parking and circulation.

**Stanley projects if additional funds become available** (Possible sources of additional funds include unused contingency, favorable bids, State matching funds):

- Add a lunch kiosk to improve circulation and accommodate growth.
- Expand, remodel or reconstruct the school library.
- Expand, remodel or reconstruct the gym and locker room.

#### **Burton Valley Elementary School**

- Construct new kindergarten classrooms to replace undersized and aging kindergarten classrooms
- Renovate or reconstruct undersized fifth grade classrooms.
- Provide additional staff restroom facilities.

**Burton Valley projects if additional funds become available** (Possible sources of additional funds include unused contingency, favorable bids, State matching funds):

- Replace all portable classroom buildings with permanent or upgraded modular buildings.
- Expand the kindergarten play yard.
- Construct upgraded modular classrooms or renovate existing portables for science, technology, music or other instructional support space.
- Renovate the multi-use room for improved sound quality, lighting, and architectural finishes.
- Upgrade the kitchen.

#### **Happy Valley Elementary School**

- Remove aging portable science lab, computer lab, and instructional support spaces and construct new kindergarten classrooms adjacent to the kindergarten play yard.
- Construct upgraded modular classrooms or renovate existing portables for science, technology, music, or other instructional support space.
- Add portables or upgraded modular classrooms as required to accommodate enrollment growth.
- Construct covered walkways and awnings at selective locations to provide rain cover.
- Renovate drop-off/pick-up areas and increase parking.

**Happy Valley projects if additional funds become available** (Possible sources of additional funds include unused contingency, favorable bids, State matching funds):

- Construct additional restrooms.
- Replace all portable classroom buildings with permanent or upgraded modular buildings.
- Renovate the multi-use room for improved sound quality, lighting, and architectural finishes.

#### **Lafayette Elementary School**

- Construct upgraded modular classrooms or renovate existing portables for science, technology, music or other instructional support space.

- Purchase old Lafayette Library and demolish building. Construct new kindergarten classrooms to replace removed undersized kindergarten portables. Construct additional classrooms to accommodate growth. Renovate site for improvements to traffic, circulation, and parking.
- Remove portables from field and relocate to another site or sell.

**Lafayette projects if additional funds become available** (Possible sources of additional funds include unused contingency, favorable bids, State matching funds):

- Replace all portable classroom buildings with permanent or upgraded modular buildings.

### **Springhill Elementary School**

- Construct permanent or upgraded modular or portable classrooms for science, technology, music or other instructional support space.
- Add space for instructional support.
- Remove aging portable classrooms from the field.
- Construct sound wall or green screen along Pleasant Hill Road.

**Springhill projects if additional funds become available** (Possible sources of additional funds include unused contingency, favorable bids, State matching funds):

- Replace all portable classroom buildings with permanent or upgraded modular buildings.
- Renovate the multi-use room for improved sound quality, lighting, and architectural finishes.
- Investigate and acquire additional land for parking.
- Renovate main parking lot.

### **District-wide**

- Upgrade network infrastructure.
- Renovate aging district office facilities.

**District-wide projects if additional funds become available** (Possible sources of additional funds include unused contingency, favorable bids, State matching funds):

- Relocate maintenance yard from Lafayette School to another location

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The listed projects will be completed as needed at a particular school or facility site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. Each project is assumed to include its share of the election and bond issuance costs, furniture, equipment, architectural, engineering, inspection and similar planning and testing costs, program management, staff training expenses and customary contingency, unforeseen conditions revealed by construction, renovation or modernization (including plumbing or gas line breaks, dry rot, seismic and structural deficiencies, etc.), and escalation for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the acquisitions of a variety of instructional, maintenance and operational equipment, including

the reduction or retirement of payment of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List, payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, demolition and temporary housing and storage of dislocated District activities caused by bond projects.

The budget for each project, is an estimation and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating enhanced and operationally efficient campuses. Necessary site preparation/restoration and landscaping, may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, redirecting fire access, and acquiring any necessary easements, licenses, or rights of way to the property.

The allocation of bond proceeds may be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will pursue to reduce the District's share of the costs of the projects, the District may not be able to complete some of the projects listed above. Alternatively, if the District obtains unexpected funds from non-bond sources with respect to listed projects, such projects may be enhanced, supplemented or expanded to the extent of such funds. Whenever specific items are included in the list, they are presented to provide an example and are not intended to limit the generality of the broader description of authorized projects.

## EXHIBIT B

### TAX RATE STATEMENT

An election will be held in the Lafayette School District (the "District") on June 7, 2016, to authorize the sale of up to \$70,000,000 in bonds of the District for the specific school facilities projects listed in the Bond Project List established by the District, as described in the proposition. If the bonds are authorized, the District expects to sell the bonds in several series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California.

1. The best estimate of the tax rate that would be required to be levied to fund the bonds during the first fiscal year after the first sale of the bonds, based on estimated assessed valuations available at the time of filing this statement, is \$29.50 per \$100,000 of assessed valuation in fiscal year 2016-17.

2. The best estimate of the tax rate that would be required to be levied to fund the bonds during the first fiscal year after the last sale of the bonds, based on estimated assessed valuations available at the time of filing this statement, is \$29.50 per \$100,000 of assessed valuation in fiscal year 2020-21.

3. The best estimate of the highest tax rate that would be required to be levied to fund the bonds, based on estimated assessed valuations available at the time of filing this statement, is \$29.50 per \$100,000 of assessed valuation in fiscal year 2016-17.

4. The District's best estimate of the average tax rate that would be required to be levied to fund the bonds, based on estimated assessed valuations available at the time of filing this statement, is \$28.52 per \$100,000 of assessed valuation for fiscal year 2016-17 through and including fiscal year 2049-50.

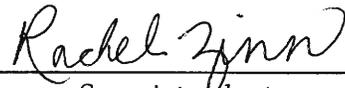
5. The best estimate of the total debt service, including principal and interest, that would be required to be repaid if all the bonds are issued and sold is \$157,362,590 (\$70,000,000 in principal and \$87,362,590 in interest). This estimate is based on assumptions regarding future assessed values of taxable property located in the District, future interest rates and the term, timing, structure, and amount of the bonds.

Voters should note that such estimated tax rates are specific to the repayment of bonds issued under this authorization and are and will be in addition to tax rates levied in connection with other bond authorizations approved or to be approved by the District or any other overlapping public agency.

Voters should also note that estimated tax rates are based on the ASSESSED VALUE of taxable property on Contra Costa County's official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the Contra Costa County Assessor in the annual assessment and the equalization process.

Dated: March 9, 2016.



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Superintendent  
Lafayette School District

WALNUT CREEK SCHOOL DISTRICT

RESOLUTION NO. 15-16-09

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE WALNUT CREEK  
SCHOOL DISTRICT ORDERING A SCHOOL BOND ELECTION, AND  
AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the Board of Trustees (the "Board") of the Walnut Creek School District (the "District"), within Contra Costa County, California (the "County"), is authorized to order elections within the District and to designate the specifications thereof, pursuant to sections 5304 and 5322 of the California Education Code (the "Education Code");

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to section 15100 *et seq.* of the California Education Code;

WHEREAS, pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution, and section 15266 of the California Education Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a 55% vote of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition;

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors to be approved by 55% of the votes cast;

WHEREAS, such a bond election must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election, as required by section 15266 of the California Education Code;

WHEREAS, on June 7, 2016, a statewide primary election is scheduled to occur throughout the District;

WHEREAS, pursuant to section 15268 California Education Code, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed \$30 per year per \$100,000 of assessed valuation of taxable property;

WHEREAS, section 9400 *et seq.* of the California Elections Code requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; and

NOW, THEREFORE, be it resolved, determined and ordered by the Board of Trustees of the Walnut Creek School District as follows:

*Section 1. Specifications of Election Order.* Pursuant to sections 5304, 5322, 15100 *et seq.*, and section 15266 of the California Education Code, an election shall be held within the boundaries of the District on June 7, 2016, for the purpose of submitting to the registered voters of the District the following proposition:

#### BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the District shall be authorized to issue and sell bonds of up to \$60,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List attached hereto as Exhibit A, subject to all of the accountability safeguards specified below. Bonds will be issued in one or more series.

#### ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent wisely to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at section 15264 *et seq.* of the California Education Code).

*Evaluation of Needs.* The Board of Trustees has prepared its Capital Investment Program in order to evaluate and address all of the facilities needs of the District, and to determine which projects to finance from a local bond at this time. The Board of Trustees hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained in Exhibit A.

*Independent Citizens' Oversight Committee.* The Board of Trustees shall establish an independent Citizens' Oversight Committee (section 15278 *et seq.* of the California Education Code), to ensure bond proceeds are expended only for the school facilities projects listed in Exhibit A. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board of Trustees.

*Annual Performance Audits.* The Board of Trustees shall cause to conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in Exhibit A.

*Annual Financial Audits.* The Board of Trustees shall cause to conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in Exhibit A.

*Special Bond Proceeds Account; Annual Report to Board.* Upon approval of this proposition and the sale of any bonds approved, the Board of Trustees shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent shall cause a report to be filed with the Board no later than January 1 of each year, commencing January 1, 2017, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

### BOND PROJECT LIST

The Bond Project List attached to this resolution as Exhibit A shall be considered a part of the ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

The Bond Project List, which is an integral part of this proposition, lists the specific projects the District proposes to finance with proceeds of the Bonds. Such projects will be completed as needed. Each project is assumed to include its share of costs of the election and bond issuance, architectural, engineering, and similar planning costs, construction management, and a customary contingency for unforeseen design and construction costs. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Therefore the Board of Trustees cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects.

### FURTHER SPECIFICATIONS

*No Administrator Salaries.* Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

*Single Purpose.* All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to section 15100 of the California Education Code, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and proceeds of the bonds shall be spent only for such purpose, pursuant to section 53410 of the California Government Code.

*Other Terms of the Bonds.* When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest will be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature later than shall be permitted by law.

*Section 2. Ballot Proposition.* Pursuant to section 13247 of the California Elections Code and section 15122 of the California Education Code, the Board hereby directs the Registrar of Voters to use the following abbreviation of the bond proposition on the ballot:

“To address critical renovation, modernization and safety needs at District schools, upgrade classrooms, libraries and computer networks to provide students with 21st Century classrooms, improve energy efficiency of classrooms and buildings, and replace, acquire, construct and renovate school facilities shall the Walnut Creek Elementary School District issue \$60 million in bonds at legal interest rates with funds monitored by an Independent Citizens’ Oversight Committee and no funds spent on administrators?”

*Section 3. Voter Pamphlet.* The Registrar of Voters of the County is hereby requested to reprint Section 1 hereof (including Exhibit A hereto) in its entirety in the voter information pamphlets to be distributed to voters pursuant to section 13307 of the California Elections Code. In the event Section 1 is not reprinted in the voter information pamphlets in its entirety, the Registrar of Voters of the County is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

“The above statement is an impartial analysis of Measure \_\_\_\_\_. If you desire a copy of the measure, please call the Contra Costa County Registrar of Voters at (925) 335-7800 and a copy will be mailed at no cost to you.”

*Section 4. Required Vote.* Pursuant to section 18 of Article XVI and section 1 of Article XIII A of the State Constitution, the above proposition shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

*Section 5. Matching Funds.* Pursuant to section 15122.5 of the California Education Code, the District hereby requests that the Registrar of Voters of the County include the following statement in the ballot pamphlet:

Approval of Measure \_\_\_\_ does not guarantee that the proposed project or projects in the Walnut Creek School District that are the subject of bonds under Measure \_\_\_\_ will be funded beyond the local revenues generated by Measure \_\_\_\_\_. The school district's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

*Section 6. Request to County Officers to Conduct Election.* The Registrar of Voters of the County is hereby requested, pursuant to section 5322 of the California Education Code, to take all steps to call and hold the election in accordance with law and these specifications.

*Section 7. Consolidation Requirement; Canvass.*

(a) Pursuant to section 15266(a) of the California Education Code, the election shall be consolidated with the statewide primary election on June 7, 2016.

(b) The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to section 10411 of the California Elections Code.

*Section 8. Delivery of Order of Election to County Officers.* The Secretary of the Board of Trustees of the District is hereby directed to deliver, no later than March 11, 2016 (which date is more than 88 days prior to the date set for the election), one copy of this Resolution to the County Superintendent of Schools and the Registrar of Voters of the County together with the Tax Rate Statement (attached hereto as Exhibit B), completed and signed by the Superintendent, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of the County.

*Section 9. Ballot Arguments.* The members of the Board are hereby authorized, but not directed, to prepare and file with the Registrar of Voters of the County a ballot argument in favor of the proposition contained in Section 1 hereof, within the time established by the Registrar of Voters of the County.

*Section 10. Further Authorization.* The members of this Board, the Superintendent, and all other officers of the District are hereby authorized, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution.

Section 11. Effective Date. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this 7th day of March, 2016, by the following vote:

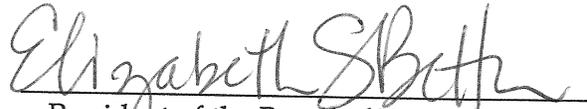
AYES: 5

NAYS: 0

ABSTAIN: 0

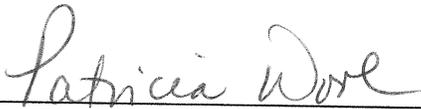
ABSENT: 0

APPROVED:



President of the Board of Trustees of the  
Walnut Creek School District

Attest:



Secretary of the Board of Trustees of the  
Walnut Creek School District

## SECRETARY'S CERTIFICATE

I, , Secretary of the Board of Trustees of the Walnut Creek School District, of Contra Costa County, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a meeting of the Board of Trustees of the District duly and regularly held at the regular meeting place thereof on March 7, 2016, and entered in the minutes thereof, of which meeting all of the members of the Board of Trustees had due notice and at which a quorum thereof was present. The resolution was adopted by the following vote:

AYES: Bettis, McGoff, Moss, Peña, Pennington

NOES: None

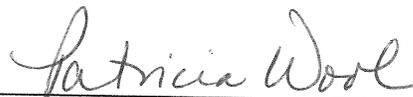
ABSTAIN: None

ABSENT: None

At least 24 hours before the time of said meeting, a written notice and agenda of the meeting was mailed and received by or personally delivered to each member of the Board of Trustees not having waived notice thereof, and to each local newspaper of general circulation, radio, and television station requesting such notice in writing, and was posted in a location freely accessible to members of the public, and a brief description of the resolution appeared on said agenda.

I have carefully compared the same with the original minutes of the meeting on file and of record in my office. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this 8<sup>th</sup> day of March, 2016.



Secretary of the Board of Trustees  
Walnut Creek School District

## EXHIBIT A

### WALNUT CREEK SCHOOL DISTRICT

#### BOND PROJECT LIST

Bond funds will be used in combination with any other received State matching funds. The Walnut Creek School District will use bond funds for the following school facility improvement projects. All schools listed below will receive bond funds:

Buena Vista Elementary School  
2355 San Juan Avenue

Indian Valley Elementary School  
551 Marshall Drive

Murwood Elementary School  
2050 Vanderslice Avenue

Parkmead Elementary School  
1920 Magnolia Way

Tice Creek School  
1847 Newell Avenue

Walnut Creek Intermediate School  
2425 Walnut Boulevard

Walnut Heights Elementary School  
4064 Walnut Boulevard

The Walnut Creek School District will use bonds funds to provide up to date classrooms, renovate athletic fields and related facilities, replace underground water sewer and gas lines, and replace old and inefficient electrical, lighting, heating, plumbing and ventilation systems. In addition, all schools are in need of updated instructional technology as well as ongoing repairs and renovations to keep the schools safe and secure.

#### **School Bond Renovation and Modernization Projects**

- Upgrade classroom electrical and network wiring to improve student access to computers and technology
- Upgrade classrooms and libraries to provide students with 21st Century schools
- Repair or replace aging roofs
- Replace security and fire alarm systems
- Upgrade and replace classroom lighting systems
- Improve the energy efficiency of classroom and school buildings
- Add solar energy systems

- Renovate or replace aging asphalt play areas and outdoor play structures to improve student safety
- Make all school areas fully accessible to students by completing additional ADA improvements
- Replace aging classroom desks, tables and other furniture
- Replace aging furniture in libraries and offices as needed
- Replace aging windows, flooring, carpeting and window coverings
- Upgrade staff kitchen areas
- Build or replace shade structures
- Upgrade athletic and play fields
- Replace old underground utilities including gas, water and sewer lines.
- Replace old heating, cooling, ventilation, electrical and plumbing systems.
- Add additional air conditioning
- Improve irrigation and hardscape
- Remodel computer labs and other rooms
- Add fencing
- Add additional parking

### **New Construction Projects**

- Build new classrooms at Tice Creek School
- Build a new multi-purpose building at Tice Creek School
- Build a new performing arts theater at Walnut Creek Intermediate School
- Build a new gym at Tice Creek School
- Build a new library at Tice Creek School

### **Miscellaneous Projects**

- Remove hazardous materials, such as asbestos, lead, etc., where necessary.
- Address unforeseen conditions revealed by construction/modernization (such as plumbing or gas line breaks, dry rot, seismic, structural, etc.).
- Other improvements required to comply with existing building codes, including the Field Act, and access requirements of the Americans with Disabilities Act.
- Necessary site preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of re-locatable classrooms, including removing, replacing, or installing irrigation, utility lines (such as gas lines, water lines, electrical lines, sewer lines, and communication lines), trees and landscaping.
- Rental or construction of storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including re-locatable classrooms) for students and school functions or other storage for classroom materials displaced during construction.
- All work necessary and incidental to specific projects described above, including demolition of existing structures.
- Paint the interior and exterior of buildings.
- Repair and replace damaged and uneven paving and concrete.
- Provide classroom furniture and equipment as needed.
- Improve school building safety and security

- Improve District-wide technology and infrastructure
- Improve access to classroom/instructional technology.

For any bonds that the District issues to fund the acquisition of technology equipment or any other projects with a relatively short useful life, the District will certify at the time of issuance that the average maturity of the particular bond issue does not exceed the useful life of the projects being financed.

For any project involving modernization or renovation of a building or the major portion of a building, the District shall be authorized to proceed with new replacement construction if the Board of Trustees determines that replacement and new construction is economically more practical considering the building's age, condition and other relevant factors.

The District will seek a waiver from the State Board of Education of the applicable bonding limit requirements of Section 15106 of the California Education Code if such a waiver is necessary to allow the District to issue bonds under this Measure.

\* \* \*

The listed projects will be completed as needed. Each project is assumed to include its share of election and bond issuance costs, furniture, equipment, architectural, engineering, and similar planning costs, program management, staff training expenses and a customary contingency, and escalation for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List, payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by bond projects. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, call manager and network security/firewall, and other miscellaneous equipment and software.

The allocation of bond proceeds may be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District may not be able to complete some of the projects listed above. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating enhanced and operationally efficient campuses. Necessary site preparation/restoration and landscaping, may occur in connection with new construction, renovation or remodeling, or installation or removal

of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, redirecting fire access, and acquiring any necessary easements, licenses, or rights of way to the property.

Bond proceeds shall be expended only for the specific purposes identified herein. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to the bond projects, but not for other administrator or teacher salaries. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

FISCAL ACCOUNTABILITY: IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF EDUCATION WILL APPOINT A CITIZENS' OVERSIGHT COMMITTEE AND CONDUCT ANNUAL INDEPENDENT AUDITS TO ASSURE THAT FUNDS ARE SPENT ONLY ON DISTRICT PROJECTS AND FOR NO OTHER PURPOSE. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

**EXHIBIT B**  
**TAX RATE STATEMENT**

An election will be held in the Walnut Creek School District (the "District") on June 7, 2016, to authorize the sale of up to \$60,000,000 in bonds of the District for the specific school facilities projects listed in the Bond Project List established by the District, as described in the proposition. If the bonds are authorized, the District expects to sell the bonds in one or more series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California.

(1) The best estimate of the tax rate that would be required to be levied to fund the bonds during the first fiscal year after the first sale of the bonds based on estimated assessed valuations available at the time of filing of this statement, is \$17.30 per \$100,000 of assessed valuation in Fiscal Year 2017-18.

(2) The best estimate of the tax rate that would be required to be levied to fund the bonds during the first fiscal year after the last sale of the bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$17.30 per \$100,000 of assessed valuation in Fiscal Year 2022-23.

(3) The best estimate of the highest tax rate that would be required to be levied to fund the bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$17.30 per \$100,000 of assessed valuation in Fiscal Year 2017-18.

(4) The best estimate of the average tax rate which would be required to be levied to fund the bonds during the life of the bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$17.30 per \$100,000 of assessed valuation.

(5) The best estimate of the total debt service, including the principal and interest, that would be required to be repaid if all the bonds are issued and sold is \$132,354,136. This estimates is based on assumptions regarding future interest rates and the term, timing, structure and amount of each series of bonds.

Voters should note that estimated tax rate is based on the ASSESSED VALUE of taxable property on Contra Costa County's official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the Contra Costa County Assessor in the annual assessment and the equalization process.

Dated: March 7, 2016.

*Patricia Wool*

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Superintendent  
Walnut Creek School District



RECEIVED  
JAN 15 2016

REGISTRAR OF VOTERS  
COUNTY OF SANTA CLARA

**MEMORANDUM**

**DATE:** January 13, 2016

**TO:** Virginia J. Bloom, Assistant Registrar of Voters  
Santa Clara County Registrar of Voters; ATTN: Candidate Services  
1555 Berger Drive, Building 2  
San Jose, CA 95112

**FROM:** Kelly Malinowski  
Clerk of the Board  
San Francisco Bay Restoration Authority  
[Kelly.Malinowski@scc.ca.gov](mailto:Kelly.Malinowski@scc.ca.gov)  
(510) 286-5203

**SUBJECT:** San Francisco Bay Restoration Authority Resolutions from January 13, 2016 Board Meeting

- Resolution #13: Calling a Special Election to be Held for the Restoration Authority on June 7<sup>th</sup>; Requesting Services of Registrar of Voters; Requesting Consolidation of Elections; and Specifying Certain Procedures for the Consolidation Election; and
- Resolution #14: Special Parcel Tax Ballot Measure for Voter Approval: The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure

Ms. Bloom,

Please find enclosed 1 original copy each of both Resolution #13 and Resolution #14, passed by the San Francisco Bay Restoration Authority's (Authority) Governing Board on January 13, 2016.

The two enclosed original Resolutions are submitted for your review. Please note that these resolutions respond to following issues and concern raised in a telephone call with the Authority's legal counsel on December 15:

- Resolution #13 names all nine counties.
- The Authority will submit duplicate originals of both resolutions to the other 8 counties once your office confirms that the resolutions are acceptable as submitted or as modified by per your comments, if any.
- The Authority has decided that it wants the measure to be printed in full in the ballot materials and has provided the text of the measure without headers or footers.
- The Authority has specified in Resolution #13 that a 2/3 vote of all votes cast on the measure will be regarded as passing the measure.

- The Authority has specified in Resolution #13 that the Authority will be designating authors for the Arguments.

The staff of the San Francisco Bay Restoration Authority will be in touch soon to ensure you have everything you need for this review, and if there are any questions, please contact the Clerk of the San Francisco Bay Restoration Authority listed below. The Authority's legal Counsel will also be transmitting a memorandum articulating the balance of the Authority's responses to the issues and concerns raised on the December 15 call.

Thank you.

Best,



Kelly Malinowski  
Clerk of the Board  
San Francisco Bay Restoration Authority  
[Kelly.Malinowski@scc.ca.gov](mailto:Kelly.Malinowski@scc.ca.gov)  
(510) 286-5203



**San Francisco Bay  
Restoration Authority**

**RECEIVED**  
JAN 15 2016

REGISTRAR OF VOTERS  
COUNTY OF SANTA CLARA

**Resolution #13**

**CALLING A SPECIAL ELECTION TO BE HELD  
FOR THE  
SAN FRANCISCO BAY RESTORATION AUTHORITY ON JUNE 7, 2016;  
REQUESTING SERVICES OF REGISTRAR OF VOTERS;  
REQUESTING CONSOLIDATION OF ELECTIONS; AND SPECIFYING  
CERTAIN PROCEDURES FOR THE CONSOLIDATION ELECTION**

WHEREAS, in accordance with Section 50075 et seq. of the Government Code, cities, counties and districts in California have the authority to impose special taxes pursuant to the provisions of Article XIII-A of the California Constitution, subject to the approval of two-thirds of the votes cast by voters voting upon the proposition;

WHEREAS, the San Francisco Bay Restoration Authority ("Authority"), a regional governmental entity, is authorized pursuant to the aforementioned provisions of the Government Code, as well as the San Francisco Bay Restoration Authority Act (Title 7.25 of the Government Code, commencing with section 66700), to levy a parcel tax, subject to the requisite two-thirds voter approval, in the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma, and the City and County of San Francisco (such nine counties, collectively, the "San Francisco Bay Area");

WHEREAS, after years of study, the Authority has prepared the San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (the "Measure") in order to fund programs that will:

- Reduce trash, pollution and harmful toxins;
- Improve water quality;
- Restore habitat for fish, birds and wildlife;
- Protect communities from floods; and
- Increase shoreline access for public enjoyment and recreation.

WHEREAS, the Authority proposes to levy a special parcel tax of \$12 per year for 20 years on each parcel wholly or partially in the San Francisco Bay Area, subject to two-thirds voter approval, to fund the programs identified in the Measure. Such a levy is anticipated to generate approximately \$25,000,000 a year to fund specific clean water, pollution prevention and habitat restoration projects and other purposes, including, without limitation, the possible payment of debt service on bonds issued by or on behalf of the Authority, all as set forth in the Measure; and

WHEREAS, pursuant to Government Code section 66704.05, when the Authority proposes the Measure to levy a parcel tax, the board of supervisors of the counties, including the City and County of San Francisco, (hereafter, all references to "County" include the City and County of San Francisco) in which the parcel tax is proposed, are required to call a special election on the Measure.

**Resolution #13**

**CALLING A SPECIAL ELECTION TO BE HELD  
FOR THE  
SAN FRANCISCO BAY RESTORATION AUTHORITY ON JUNE 7, 2016; REQUESTING  
SERVICES OF REGISTRAR OF VOTERS;  
REQUESTING CONSOLIDATION OF ELECTIONS; AND SPECIFYING CERTAIN  
PROCEDURES FOR THE CONSOLIDATION ELECTION**

**NOW THEREFORE, THE SAN FRANCISCO BAY RESTORATION AUTHORITY  
GOVERNING BOARD HEREBY RESOLVES, DETERMINES AND ORDERS AS  
FOLLOWS:**

FIRST: A special election is hereby called within each of the following nine Counties: Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, Sonoma and the City and County of San Francisco (comprising the entire jurisdiction of said Authority), which election is to be consolidated with the general election to be held on June 7, 2016. As required by Elections Code sections 13247 and 10403, the abbreviated form of the Measure as it shall appear on the ballot is as follows:

San Francisco Bay Clean Water, Pollution Prevention and  
Habitat Restoration Program.

To protect San Francisco Bay for future generations by reducing trash, pollution and harmful toxins, improving water quality, restoring habitat for fish, birds and wildlife, protecting communities from floods, and increasing shoreline public access, shall the San Francisco Bay Restoration Authority authorize a parcel tax of \$12 per year, raising approximately \$25 million annually for twenty years with independent citizen oversight, audits, and all funds staying local?

**Resolution #13**

**CALLING A SPECIAL ELECTION TO BE HELD  
FOR THE  
SAN FRANCISCO BAY RESTORATION AUTHORITY ON JUNE 7, 2016;  
REQUESTING SERVICES OF REGISTRAR OF VOTERS;  
REQUESTING CONSOLIDATION OF ELECTIONS; AND SPECIFYING  
CERTAIN PROCEDURES FOR THE CONSOLIDATION ELECTION**

The Measure shall be voted on within the entire jurisdiction of the Authority, which pursuant to the San Francisco Bay Restoration Authority Act (Act), comprises the nine Counties enumerated above and referred to in the Act as the San Francisco Bay Area. A 2/3 vote of all votes cast on the measure is required to pass the measure.

SECOND: The Registrar of Voters of each County in the San Francisco Bay Area is requested to give notice of said election in accordance with law and to perform all other acts which are required for the holding and conducting of said election.

THIRD: The Board of Supervisors of each County within the San Francisco Bay Area is hereby requested to order the consolidation of the Authority's special election with the other elections to be held on June 7, 2016, to conduct such election in accordance with the requirements set forth in Elections Code section 10418, and to provide the election precincts, polling places, and voting booths which shall in each County be the same, and that there shall be only one set of election officers in each of said precincts; and to further provide that the question set forth above shall be set forth in each form of ballot to be used at said election. Said Board of Supervisors is further requested to order the Registrar of Voters to: (a) set forth on all sample ballots relating to said consolidation election, to be mailed to the qualified electors of the Authority, the question set forth above and (b) provide absentee voter ballots for said consolidation election for use by qualified electors of said Authority who are entitled thereto, in the manner provided by law.

FOURTH: Pursuant to Government Code section 66704.05, each County within the San Francisco Bay Area shall use the exact ballot question, impartial analysis, and ballot language provided by the Authority. If two or more Counties are required to prepare a translation of ballot materials into a different language, the County that contains the largest population among those Counties that are required to prepare a translation of ballot materials into the same language shall prepare the translation and that translation shall be used by the other Counties, as applicable.

FIFTH: Pursuant to Government Code section 66704.05, the Registrar of Voters of each County within the San Francisco Bay Area shall mutually agree to use the same letter designation for the Measure.

SIXTH: Each Registrar of Voters of each County within the San Francisco Bay Area is hereby authorized and requested to canvass, or cause to be canvassed, as provided by law, the returns of said special election with respect to the total votes cast for and against said question and to certify such canvass of the votes cast to the Governing Board of the Authority.





**San Francisco Bay  
Restoration Authority**

RECEIVED  
JAN 15 2016

REGISTRAR OF VOTERS  
COUNTY OF SANTA CLARA

**Resolution #14**

**SPECIAL PARCEL TAX BALLOT MEASURE FOR VOTER APPROVAL:  
THE SAN FRANCISCO BAY CLEAN WATER, POLLUTION  
PREVENTION AND HABITAT RESTORATION MEASURE**

WHEREAS, the San Francisco Bay (sometimes referred to herein as the “Bay”) is the region’s greatest natural resource and its central feature and contributes significantly to the State’s economic health and vitality. The Bay is a hub of interconnected open-spaces, watersheds, natural habitats, scenic areas, agricultural lands, and regional trails;

WHEREAS, the San Francisco Bay and its wetlands, waterways and shoreline are a significant part of the State’s coastal resources and a healthy Bay not only enhances the quality of life for all Bay Area residents but is essential to support the state’s human and wildlife populations;

WHEREAS, the San Francisco Bay must be protected and restored so that current and future generations may use and enjoy it;

WHEREAS, the restoration, preservation, and maintenance of the San Francisco Bay and its wetlands, improvement of Bay water quality, provision of public access to the Bay shoreline, and enhancement of shoreline recreational amenities for the growing population of the San Francisco Bay Area are immediate state and regional priorities;

WHEREAS, wetland restoration in the San Francisco Bay is necessary to address the growing danger that global warming and rises in sea level pose to the economic well-being, public health, natural resources, and environment of the State. Tidal wetlands can prevent flooding and adapt to rising sea levels;

WHEREAS, the protection and restoration of the San Francisco Bay require efficient and effective use of public funds, leveraging of local funds with State and federal resources, and investment of significant resources over a sustained period for habitat restoration on shoreline parcels, parks, and recreational facilities, and public access to natural areas;

WHEREAS, in 2008, the State established the San Francisco Bay Restoration Authority (the “Authority”) for the purpose of assisting in the restoration, enhancement, protection and enjoyment of the wetlands and wildlife in the San Francisco Bay and shoreline, including raising funds for programs that would protect and restore the Bay;

WHEREAS, the Authority is a regional governmental entity comprising the nine counties that touch the San Francisco Bay: the Counties of Alameda, Contra Costa, Marin, Napa,

San Mateo, Santa Clara, Solano and Sonoma, and the City and County of San Francisco (such nine counties, collectively, the "San Francisco Bay Area");

WHEREAS, after years of study, the Authority has prepared the San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (the "Measure") in order to fund programs that will:

- Reduce trash, pollution and harmful toxins;
- Improve water quality;
- Restore habitat for fish, birds and wildlife;
- Protect communities from floods; and
- Increase shoreline access for public enjoyment and recreation.

WHEREAS, in accordance with Section 50075 et seq. of the Government Code, cities, counties and districts in the State have the authority to impose special taxes pursuant to the provisions of Article XIII-A of the California Constitution, subject to the approval of two-thirds of the votes cast by voters voting upon the proposition;

WHEREAS, the Authority is authorized pursuant to the aforementioned provisions of the Government Code, as well as the San Francisco Bay Restoration Authority Act (Title 7.25 of the Government Code, commencing with section 66700), to levy a parcel tax, subject to the requisite two-thirds voter approval, in the San Francisco Bay Area; and

WHEREAS, the Authority proposes to levy a special parcel tax of \$12 per year for 20 years on each parcel wholly or partially in the San Francisco Bay Area, subject to two-thirds voter approval, to fund the programs identified in the Measure. Such a levy is anticipated to generate approximately \$25,000,000 a year to fund specific clean water, pollution prevention and habitat restoration projects and other purposes, including the possible payment of debt service on bonds, all as set forth in the Measure; and

WHEREAS, the proceeds from the parcel tax will be spent only for local projects that directly improve the Bay, and cannot be taken away by the State. The Measure also requires citizen oversight, transparency, independent audits of all money collected and spent, and strict caps on the amount that may be spent on project management and administration.

**NOW THEREFORE, THE SAN FRANCISCO BAY RESTORATION AUTHORITY GOVERNING BOARD HEREBY RESOLVES, DETERMINES AND ORDERS AS FOLLOWS:**

**Section 1. Approval of Ballot Measure.**

Pursuant to Government Code sections 50075 through 50077.5 and the San Francisco Bay Restoration Authority Act (Title 7.25 of the Government Code, commencing with section 66700 of the Government Code), the Authority hereby adopts the San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (the "Measure") and approves the placement of the Measure on the June 7, 2016 election ballot within the San Francisco Bay Area. A full copy of the Measure is attached hereto.

**Section 2. Tax Imposed and Rate.**

Subject to two-thirds approval of the voters voting on the Measure, a special parcel tax (the "Special Tax") shall be levied in the amount and in accordance with the terms and procedures set forth in the Measure, for a twenty-year year period commencing July 1, 2017 and ending June 30, 2037. The Special Tax shall be levied at an annual rate of twelve dollars (\$12) per parcel of taxable real property (as defined in the Measure) wholly or partially within the San Francisco Bay Area. The proceeds from the Special Tax shall be used solely to support the programs and priorities and other purposes set forth in the Measure, including, without limitation, the payment of debt service on bonds issued by or on behalf of the Authority for the purposes set forth in the Measure.

**Section 3. Method of Collection.**

Subject to two-thirds approval of the voters voting on the Measure, the Special Tax shall be collected by the Tax Collector of each county, including the City and County of San Francisco (hereafter, all references to "County" include the City and County of San Francisco) within the San Francisco Bay Area in accordance with the terms and procedures set forth in the Measure.

**Section 4. Accountability.**

The Authority's levy, collection and expenditure of the Special Tax shall be subject to the transparency, independent audit, and accountability measures set forth in the Measure, including requirements that: (a) the proceeds of the Special Tax be used solely for supporting the programs and priorities and other purposes set forth in the Measure; (b) the proceeds of the Special Tax be deposited in a special account; (c) the proceeds of the Special Tax be spent only for projects in the San Francisco Bay Area identified in the Measure and cannot be taken by the State; (d) an independent, annual audit be conducted of all Special Tax proceeds collected and allocated under the Measure; (e) an annual report be prepared showing both the amounts of Special Tax proceeds collected and expended and the status of any project funded pursuant to the Measure; and (f) annual audits and reports be submitted to an Independent Citizen Oversight Committee for review, with its findings to be posted on the Authority's website.

**Section 5. Additional Action.**

The Chair of the Governing Board of the Authority, or any of his or her designees, is hereby authorized and directed to make any changes to the text of the Measure attached hereto, to the abbreviated form of the Measure, or to the text of this Resolution or Resolution No.13 (calling the special election), as may be convenient or necessary to comply with the intent of this Resolution and Resolution No.13 to place the Measure on the June 7, 2016 ballot, the requirements of elections officials, or the requirements of the law; and to take or authorize any administrative actions necessary to effectuate placing the measure on the ballot and administering the said election, including without limitation, drafting the argument in favor of the measure and fixing the dates on which arguments and rebuttals are due .

**Section 6. CEQA.**

Pursuant to the State California Environmental Quality Act (CEQA) Guidelines section 15378(b)(4), adoption of this resolution to place the Measure, a government funding mechanism, on the ballot for voter approval is not a project subject to the requirements of CEQA. Prior to approval of funding of any projects pursuant to the Measure, any necessary environmental review required by CEQA shall be completed.

**PASSED AND ADOPTED** by the Governing Board of the San Francisco Bay Restoration Authority at its meeting on January 13, 2016, by the following vote:

AYES: Governing Board Members Chair Pine, Sup. Caldwell, Sup. Gidira, Sup. McCher

NOES: Governing Board Members N/A

ABSENT: Governing Board Members N/A

ABSTAIN: Governing Board Members N/A

Mayor  
Santorum,  
Virellor, etc



Dave Pine  
Chair

I, Kelly Malinowski, Clerk of the Governing Board of the San Francisco Bay Restoration Authority, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Governing Board of the San Francisco Bay Restoration Authority at its meeting of January 13, 2016, which Resolution is on file in the office of this regional governmental entity.



Kelly Malinowski  
Clerk of the Governing Board

**Attachment to Resolution 14 of**

**Governing Board  
San Francisco Bay Restoration Authority**

**Special Parcel Tax Ballot Measure for Voter Approval  
The San Francisco Bay Clean Water, Pollution Prevention and  
Habitat Restoration Measure**

**THE SAN FRANCISCO BAY CLEAN WATER,  
POLLUTION PREVENTION AND  
HABITAT RESTORATION MEASURE**

The people of the San Francisco Bay Restoration Authority do ordain as follows:

**Section 1. Findings and Purpose.**

Over the last century, landfill and toxic pollution have had a massive impact on San Francisco Bay (sometimes referred to herein as the "Bay"). It is not too late to reverse this impact and restore the Bay for future generations. To meet that objective, in 2008, state law established the San Francisco Bay Restoration Authority (the "Authority"), to raise and allocate resources for the restoration, enhancement, protection, and enjoyment of wetlands and wildlife habitats in the San Francisco Bay and along its shoreline.

The purpose of the San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (the "Measure") is to protect and restore San Francisco Bay to benefit future generations by reducing trash, pollution, and harmful toxins, improving water quality, restoring habitat for fish, birds, and wildlife, protecting communities from flood and increasing shoreline public access and recreational areas.

**Section 2. Funding of San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Expenditure Plan.**

Subject to voter approval, the Authority hereby establishes a special parcel tax (the "Special Tax") the proceeds of which shall be used solely for the purpose of supporting the programs and priorities and other purposes set forth in this Measure. The Special Tax shall be levied at a rate of twelve dollars (\$12) per parcel within the jurisdiction of the Authority, which consists of the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma and the City and County of San Francisco (such nine counties, collectively, the "San Francisco Bay Area"). The Special Tax shall be levied annually for a total of twenty (20) years, commencing July 1, 2017 and ending June 30, 2037.

The Special Tax shall be levied on each parcel of taxable property within the San Francisco Bay Area, and shall be collected by the tax collectors of each county (including the City and County of San Francisco) in the San Francisco Bay Area (the "Tax Collectors") at the same time as, and along with, and will be subject to the same penalties as general, *ad valorem* taxes collected by the Tax Collectors. The Special Tax and any penalty shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid. Any Special Tax levied shall become a lien upon the properties against which taxes are assessed and collectible as herein provided. The Special Tax shall appear as a separate item on the tax bill.

All property that is otherwise exempt from *ad valorem* property taxes in any year shall also be exempt from the Special Tax in such year. The Authority shall adopt procedures that set forth any clarifications and exemptions to address unique circumstances and any procedure for claimants seeking an exemption, refund, reduction or recomputation of the Special Tax.

### **Section 3. San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Expenditure Plan.**

The revenues from the Special Tax set forth in Section 2 above shall be used solely for the purpose of supporting programs and priorities and purposes set forth in this Measure, including the following:

#### **A. Program Descriptions**

Under this Measure, the Authority may fund projects along the Bay shorelines within the Authority's jurisdiction, which consists of the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma and the City and County of San Francisco. The shorelines include the shorelines of San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, and most of the Northern Contra Costa County Shoreline to the edge of the Delta Primary Zone. These projects shall advance the following programs:

##### **1. Safe, Clean Water and Pollution Prevention Program**

The purpose of this program to be funded under the Measure is to remove pollution, trash and harmful toxins from the Bay in order to provide clean water for fish, birds, wildlife, and people.

- a. Improve water quality by reducing pollution and engaging in restoration activities, protecting public health and making fish and wildlife healthier.
- b. Reduce pollution levels through shoreline cleanup and trash removal from the Bay.
- c. Restore wetlands that provide natural filters and remove pollution from the Bay's water.
- d. Clean and enhance creek outlets where they flow into the Bay.

##### **2. Vital Fish, Bird and Wildlife Habitat Program**

The purpose of this program to be funded under the Measure is to significantly improve wildlife habitat that will support and increase vital populations of fish, birds, and other wildlife in and around the Bay.

- a. Enhance the San Francisco Bay National Wildlife Refuge, shoreline parks and open space preserves, and other protected lands in and around the Bay, providing expanded and improved habitat for fish, birds and mammals.
- b. Protect and restore wetlands and other Bay and shoreline habitats to benefit wildlife, including shorebirds, waterfowl and fish.
- c. Provide for stewardship, maintenance and monitoring of habitat restoration projects in and around the Bay, to ensure their ongoing benefits to wildlife and people.

##### **3. Integrated Flood Protection Program**

The purpose of this program to be funded under the Measure is to use natural habitats to protect communities along the Bay's shoreline from the risks of severe coastal flooding caused by storms and high water levels.

- a. Provide nature-based flood protection through wetland and habitat restoration along the Bay's edge and at creek outlets that flow to the Bay.

- b. Build and/or improve flood protection levees that are a necessary part of wetland restoration activities, to protect existing shoreline communities, agriculture, and infrastructure.

#### **4. Shoreline Public Access Program**

The purpose of this program to be funded under the Measure is to enhance the quality of life of Bay Area residents, including those with disabilities, through safer and improved public access, as part of and compatible with wildlife habitat restoration projects in and around the Bay.

- a. Construct new, repair existing and/or replace deteriorating public access trails, signs, and related facilities along the shoreline and manage these public access facilities.
- b. Provide interpretive materials and special outreach events about pollution prevention, wildlife habitat, public access, and flood protection, to protect the Bay's health and encourage community engagement.

#### **B. Additional Allocation Criteria and Community Benefits**

1. The Authority shall ensure that the Measure's revenue is spent in the most efficient and effective manner, consistent with the public interest and in compliance with existing law. The Authority shall give priority to projects that:
  - a. Have the greatest positive impact on the Bay as a whole, in terms of clean water, wildlife habitat and beneficial use to Bay Area residents.
  - b. Have the greatest long-term impact on the Bay, to benefit future generations.
  - c. Provide for geographic distribution across the region and ensure that there are projects funded in each of the nine counties in the San Francisco Bay Area over the life of the Measure.
  - d. Increase impact value by leveraging state and federal resources and public/private partnerships.
  - e. Benefit economically disadvantaged communities.
  - f. Benefit the region's economy, including local workforce development, employment opportunities for Bay Area residents, and nature-based flood protection for critical infrastructure and existing shoreline communities.
  - g. Work with local organizations and businesses to engage youth and young adults and assist them in gaining skills related to natural resource protection.
  - h. Incorporate monitoring, maintenance and stewardship to develop the most efficient and effective strategies for restoration and achievement of intended benefits.
  - i. Meet the selection criteria of the Coastal Conservancy's San Francisco Bay Area Conservancy Program and are consistent with the San Francisco Bay Conservation and Development Commission's coastal management program and with the San Francisco Bay Joint Venture's implementation strategy.
2. The Authority shall ensure that 50% of the total net revenue generated during the 20-year term of the Special Tax is allocated to the four Bay Area regions, defined as the North Bay (Sonoma, Marin, Napa and Solano Counties), East Bay (Alameda and Contra Costa Counties), West Bay (City and County of San Francisco and San Mateo County) and South Bay (Santa Clara County) in proportion to each region's share of the Bay Area's population, as determined in the 2010 census, and consistent with the priorities set forth in this section. As a result, each region will receive the following minimum percentage of

total net revenue generated during the 20-year term of the Special Tax: North Bay: 9%, East Bay: 18%, West Bay: 11%, South Bay: 12%. The remaining revenue shall be allocated consistent with all other provisions of this Measure.

3. The Authority shall conduct one or more public meetings annually to gain public input on selection of projects under this Measure. All actions, including decisions about selecting projects for funding, will be made by the Authority in public meetings with advance notice and with meeting materials made available in advance to the public.
4. The Authority may accumulate revenue over multiple years so that sufficient funding is available for larger and long-term projects. All interest income shall be used solely to support programs and priorities set forth in this Measure.
5. No Special Tax proceeds shall be used for campaign advocacy.
6. No more than 5% of the Special Tax proceeds generated in any given fiscal year may be used by the Authority for general government purposes in such fiscal year, including to administer the projects funded under this Measure. Any unused funds may be carried over for use in subsequent fiscal years.
7. The Authority shall have the right, power and authority to pledge Special Tax proceeds to the payment of bonds of the Authority or another public agency (including, but not limited to, a joint powers authority created pursuant to Article 1 of the Joint Exercise of Powers Act (Government Code Section 6500 et seq.)), and use Special Tax proceeds to pay debt service on such bonds and the costs of issuance related thereto.

### **C. Accountability and Oversight**

In order to ensure accountability, transparency and public oversight of funds collected and allocated under this Measure and comply with State law, all of the following shall apply:

1. The specific purpose of the Special Tax shall be to support only programs and priorities and other purposes listed in this Measure. The Special Tax proceeds shall be applied only for specific purposes of this Measure and shall be spent only in accordance with the procedures and limitations set forth in this Measure.
2. A separate account shall be created by the Authority into which all Special Tax proceeds must be deposited. The Authority shall commission an independent annual audit of all revenues deposited in, and all expenditures made from, the separate account and publish annual financial statements.
3. All Special Tax revenue, except as set forth in Section 3.B.6 above, shall be spent on projects for the benefit of the San Francisco Bay Area, and shall not be taken by the State.
4. The Authority shall prepare annual written reports showing (i) the amount of funds collected and expended from Special Tax proceeds and (ii) the status of any projects or programs required or authorized to be funded from the proceeds of the Special Tax, as

identified above. The report shall comply with Government Code section 50075.3, be posted on the Authority's website, and be submitted to the Bay Restoration Advisory Committee, established pursuant to Government Code section 66703.7 (the "Advisory Committee"), for review and comment.

5. The Advisory Committee shall provide advice to the Authority on all aspects of its activities under this Measure to ensure maximum benefit, value, and transparency. Advisory Committee meetings will be announced in advance and will be open to the public. The responsibilities of the Advisory Committee shall include, but shall not be limited to: (a) advising the Authority about implementation of this Measure; and (b) making recommendations regarding expenditure priorities under this Measure.
6. The Authority shall appoint six members of the public to an Independent Citizens Oversight Committee that shall: (a) annually review the Authority's conformance with the Measure; (b) review the Authority's audits and expenditure and financial reports; and (c) publish an annual report of its findings, which shall be posted on the Authority's website. The six members shall include residents of the North Bay, East Bay, West Bay, and South Bay, as defined in Government Code 66703(a), who are experts in water quality, pollution reduction, habitat restoration, flood protection, improvement of public access to the Bay, or financing of these objectives. No person may serve on the Independent Citizens Oversight Committee who (a) is an elected official or government employee, or (b) has had or could have a financial interest in decisions of the Authority as defined by Government Code section 87103 and the Fair Political Practices Commission.

#### **Section 4. Establishment of Appropriation Limit.**

Pursuant to Article XIII-B of the California Constitution and section 66704.05(b)(2) of the Government Code, the appropriation limit of the Authority shall be set by the total revenues actually received by the Authority from the proceeds of the Special Tax levied in fiscal year 2017-18, as adjusted each fiscal year thereafter for the estimated change in the cost of living, population and number of parcels on which the Special Tax is levied (such estimate to be determined by the Governing Body of the Authority and be conclusive for all purposes after made). The appropriation limit may be further adjusted by any other changes that may be permitted or required by Article XIII-B of the California Constitution.

#### **Section 5. Amendments and Severability.**

A. The Governing Board of the Authority shall be empowered to amend this Measure by majority vote of its members to further the purposes of this Measure, to conform the provisions of this Measure to applicable State law, to modify the methods of levy and collection of the Special Tax, or to assign the duties of public officials under this Measure.

B. If any part of this Measure is held to be invalid for any reason, such decision shall not affect the remaining portions of this Measure and the voters declare that they would have passed the remainder of this Measure as if such invalid portion were not included.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT  
ORDERING AN ELECTION, AND ESTABLISHING  
SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Trustees (the “Board”) of the Chabot-Las Positas Community College District (the “District”), comprised of Chabot College and Las Positas College, has determined that certain educational facilities need to be constructed, renovated, acquired and equipped, in a fiscally prudent manner, to enable the District to maintain Chabot College and Las Positas College as valuable community resources that provide an affordable education to local students and veterans who desire to learn job skills and transfer to four-year universities; and

WHEREAS, since the costs of attending California’s public universities has risen to at least six times that of attending a community college, more local students are relying on community colleges, such as Chabot College and Las Positas College, and the high quality, affordable college options they each provide; and

WHEREAS, in today’s tough economic times and competitive job environment, the District must continue providing important training and education for local residents entering the workforce for new professions and increase opportunities for local students to earn college credits, certifications and job skills at a reasonable price; and

WHEREAS, the Chabot and Las Positas Colleges have served thousands of military veterans, many of whom have recently returned from war zones and face post-traumatic stress disorder and permanent disabilities and need better access to job placement programs and facilities, and need to be trained or retrained as they re-enter the civilian workforce; and

WHEREAS, the State is not providing the District with enough money for the District to adequately maintain Chabot College and Las Positas College educational facilities and academic programs; and

WHEREAS, the Board has received information regarding the feasibility of a local bond measure and the District’s bonding capacity; and

WHEREAS, a local measure will provide funds that cannot be taken away by the State to support local college transfer and job training; and

WHEREAS, such a local measure will include mandatory taxpayer protections, including an independent citizens’ oversight of all funds and mandatory annual financial audits to ensure funds are spent only as authorized; and

WHEREAS, the Board and District has solicited stakeholder and community input on priorities from students, faculty, staff, business and civic leaders, and the community; and

WHEREAS, in the judgment of the Board, it is advisable to provide additional funding for job training and workforce preparation for students of all ages, veterans and local residents and to improve facilities for course opportunities in business, technology, nursing, early childhood

education, public safety and other high-demand jobs, by means of a general obligation bond issued in a financially prudent manner; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act (“Proposition 39”) which reduced the voter threshold for *ad valorem* tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a community college district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the “Act”) became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight which are contained in Proposition 39 and the Act; and

WHEREAS, the Board determines that, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39, which prohibit any bond money to be used for administrator salaries and other operating expenses of the District shall be strictly monitored by the District’s Citizens’ Oversight Committee; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, Section 9400 *et seq.* of the Elections Code of the State of California (the “Elections Code”) requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a tax rate statement and ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on June 7, 2016, and to request each of the Alameda County Registrar of Voters and the Contra Costa County Registrar of Voters to perform certain election services for the District; and

WHEREAS, in the judgment of the Board, it is advisable to request each of the Alameda County Registrar of Voters and the Contra Costa County Registrar of Voters to call an election pursuant to Proposition 39 on the question of whether general obligation bonds shall be issued and sold on behalf of the District for purposes set forth below.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, Sections 15264 *et seq.* and Government Code Section 53506, hereby requests each of the Alameda

County Registrar of Voters and the Contra Costa County Registrar of Voters to call an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of \$950,000,000 (the “Bonds”) shall be issued and sold to raise money for the purposes described in Exhibits “A” and “B” hereto. Both exhibits are directed to be printed in the voter sample ballot pamphlet.

Section 2. That the date of the election shall be June 7, 2016.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit “A” and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot proposition in Exhibit “A” is subject to the following requirements and determinations:

(a) the proceeds of the sale of the Bonds shall only be used for the purposes set forth in the ballot measure and not for any other purpose, including faculty and administrator salaries and other college operating expenses;

(b) that the Board, in compliance with Proposition 39, and in establishing the projects set forth in Exhibit “B”, evaluated the needs of returning veterans, safety, university transfer, enrollment trends, class size reduction, class availability, information technology and technical job training facilities of the District;

(c) that the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond moneys get expended for the projects identified in Exhibits “A” and “B” hereto;

(d) that the Board will cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended and accounted for;

(e) that the Board will cause the appointment of a Citizens’ Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274. The Citizens’ Oversight Committee shall initially consist of at least seven (7) members and at no time consist of less than seven (7) members, with the possible exception of brief periods to fill any unexpected vacancies. The Citizens’ Oversight Committee may not include any employee or official of the District or any vendor, contractor or consultant of the District. The Citizens’ Oversight Committee shall include all of the following: One (1) member who is active in a business organization representing the business community located within the District; One (1) member who is active in a senior citizens’ organization; One member who is active in a bona fide taxpayer association. In furtherance of its specifically enumerated purposes, the Citizens’ Oversight Committee may engage in any of the following activities relating solely and exclusively to the expenditure of the Proposition 39 bond proceeds:

(i) Receive and review copies of the annual, independent financial and performance audits performed by independent consultant(s);

(ii) Inspect District facilities and grounds to ensure that Proposition 39 bond revenues are expended in compliance with applicable law;

(iii) Receive and review copies of all scheduled maintenance proposals or plans developed by the District;

(iv) Review efforts of the District to maximize Proposition 39 bond revenues by implementing cost-saving programs; and

(f) that the tax levy authorized to secure the bonds of this election shall not exceed the Proposition 39 limits per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15340 *et seq.* and 15264 *et seq.* and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Section 5322 of the Education Code.

Section 6. That each of the Alameda County Registrar of Voters, the Alameda County Board of Supervisors, the Contra Costa County Registrar of Voters and the Contra Costa County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on June 7, 2016 within the District.

Section 7. That this Resolution shall stand as the “order of election” to each of the Alameda County Registrar of Voters and the Contra Costa County Registrar of Voters to call an election within the boundaries of the District on June 7, 2016.

Section 8. That the Secretary of the Board is hereby directed to send a certified copy of this Resolution to each of the Alameda County Registrar of Voters and the Contra Costa County Registrar of Voters no later than March 11, 2016.

Section 9. That the bonds shall be issued pursuant to Section 15300 *et seq.* of the Education Code or issued pursuant to Section 53506 of the Government Code. The maximum rate of interest on any bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531. The Board approves the filing of a Tax Rate Statement and primary and rebuttal arguments, as appropriate, and directs their publication in accordance with the requirements of the Elections Code.

Section 10. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass be made by any body or official authorized by law to canvass the returns of the election, and that the Board consents to such consolidation.

Section 11. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Boards of Supervisors of Alameda County and Contra Costa County are requested to permit their respective Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse each of Alameda County and Contra Costa County, such services to include the

publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.

ADOPTED, SIGNED AND APPROVED this 1<sup>st</sup> day of March, 2016.

BOARD OF TRUSTEES OF THE CHABOT-LAS  
POSITAS COMMUNITY COLLEGE DISTRICT

By \_\_\_\_\_  
Board President

Attest:

\_\_\_\_\_  
Secretary

STATE OF CALIFORNIA    )  
                                  )ss  
ALAMEDA COUNTY                    )

I, Dr. Jannett N. Jackson, do hereby certify that the foregoing is a true and correct copy of Resolution No. \_\_\_\_ which was duly adopted by the Board of Trustees of the Chabot-Las Positas Community College District at meeting thereof held on the 1<sup>st</sup> day of March 2016, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By \_\_\_\_\_  
Secretary

EXHIBIT A

**“CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT JOB TRAINING, CLASSROOM REPAIR AND STUDENT SAFETY MEASURE.** To upgrade aging classrooms and technology/science labs for career education to prepare students, veterans and workers for good jobs and university transfer, remove asbestos/retrofit buildings for earthquake safety, acquire, construct and repair sites/facilities/equipment, and improve campus safety/security, shall Chabot-Las Positas Community College District issue \$950,000,000 in bonds at legal rates, no money for administrators’ salaries/pensions, independent financial audits, and all funds used locally?”

Bonds - Yes

Bonds – No

EXHIBIT B  
FULL TEXT BALLOT PROPOSITION  
CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT  
BOND MEASURE ELECTION JUNE 7, 2016

**“CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT COMMUNITY COLLEGE DISTRICT JOB TRAINING, CLASSROOM REPAIR AND STUDENT SAFETY MEASURE.** To upgrade aging classrooms and technology/science labs for career education to prepare students, veterans and workers for good jobs and university transfer, remove asbestos/retrofit buildings for earthquake safety, acquire, construct and repair sites/facilities/equipment, and improve campus safety/security, shall Chabot-Las Positas Community College District issue \$950,000,000 in bonds at legal rates, no money for administrators’ salaries/pensions, independent financial audits, and all funds used locally?”

Bonds - Yes

Bonds – No

**PROJECTS**

The Board of Trustees of the Chabot-Las Positas Community College District, to be responsive to the needs of its community, evaluated each of Chabot College’s and Las Positas College’s urgent and critical facility needs, and its capacity to provide students, active military, and **Veterans** with support and **job training** facilities, an **affordable education** and prepare them for success in **college** and careers. **Job training** facilities, **safety** issues, class size and offerings, and information and computer technology were each considered in developing the scope of projects to be funded, as such are outlined in the District’s 2012 Facilities Master Plan, incorporated herein by reference in its entirety (the “Master Plan”), and available for review on the District’s website ([www.clpccd.org](http://www.clpccd.org)). In developing the scope of projects, **basic repairs**, job training facilities, **campus safety**, facilities supporting Veterans, and the expansion of opportunities for local students to receive an **affordable, quality education**, were **prioritized**. If these facility needs are not addressed now, the District’s Colleges would be unable to remain competitive in preparing students for jobs in high demand industries and **university transfer**. The Board of Trustees determines that **Chabot College and Las Positas College MUST:**

- (i) **Increase opportunities for local students to earn college credits, certifications and job skills at reasonable prices and transfer to four-year colleges and universities;**
- (ii) **Upgrade and expand Veteran services and job training so returning Veterans receive the support they need to complete their education and enter the civilian workforce;**
- (iii) **Expand essential job training and workforce preparation for students of all ages and local residents;**
- (iv) **Provide local students with an affordable, low-cost, high-quality education;**
- (v) **Adhere to stringent FISCAL ACCOUNTABILITY safeguards including:**
  - (a) **All expenditures will be subject to annual independent financial audits,**
  - (b) **No funds will be used for administrators’ salaries and pensions,**
  - (c) **ALL FUNDS WILL BE SUBJECT TO LOCAL CONTROL,**

- (d) **An independent citizens' oversight committee will be appointed to ensure that all funds are spent only as authorized.**

The following types of projects are authorized to be undertaken at Chabot College and Las Positas College:

**PROVIDING AN AFFORDABLE EDUCATION  
FOR LOCAL RESIDENTS AND VETERANS:**

**Basic Repair Projects Needed To Make  
Chabot College and Las Positas College a Safer Place to Learn**

**Goals and Purposes:** The cost to attend California's public universities has risen to at least six times that of attending a community college. As a result, more local students and their families rely on Chabot College and Las Positas College to save tens of thousands of dollars. Additional funds are needed to increase opportunities for local students to earn college credits, certifications, and job skills at a reasonable price and transfer to four-year colleges and universities.

To make sure that Cabot College and Las Positas College are safe places to learn, funds will be used to upgrade campus security emergency communication systems, campus lighting, signage, cameras, and door locks, ensuring the safety and security of students.

Many of Chabot's and Las Positas' buildings, classrooms, science labs, and job training equipment are deteriorating and outdated. This measure will address urgent and basic repairs such as upgrading electrical wiring, gas and sewer lines, fixing leaky roofs, repairing bathrooms, and replacing outdated plumbing and wiring to make our local college clean and safe for learning.

- Replace outdated electrical wiring.
- Repair deteriorating gas, electrical, water and sewer lines.
- **Improve campus safety and security.**
- Make campus buildings more energy efficient.
- **Improve emergency communication systems.**
- Improve water conservation efforts.
- Update campus facilities to improve handicapped accessibility.
- **Repair to the aging plumbing system to prevent flooding and water damage.**
- Remove asbestos.
- **Improve earthquake safety.**
- Repair deteriorating firewater lines and sprinkler systems.

## **PROVIDING JOB TRAINING AND COLLEGE TRANSFER:**

### **Facility Improvements To Help Students and Veterans Transfer to Four-Year Universities or be Trained For High Demand Jobs**

**Goals and Purposes:** Chabot College and Las Positas College have served thousands of military veterans, many of whom have recently returned from war zones and face challenges including post-traumatic stress disorder and permanent disability. Upgraded and expanded veteran services and job training are needed so returning Service Members receive the support they need to complete their education and enter the civilian workforce.

Chabot College and Las Positas College provide essential job training and workforce preparation for students, veterans, and local residents. This measure will upgrade classrooms, facilities and technology, and expand access to training programs that help students learn new skills and find better paying jobs in jobs in business, technology, nursing, early childhood education, public safety, and other high demand careers.

Thus the District requires funds that are locally controlled to obtain State matching funds and improve academic facilities which will allow them to continue providing access to affordable, high quality education to local students and veterans, including:

- Upgrade career and vocational classrooms to better prepare students and workers for good-paying jobs.
- **Upgrade classrooms and labs for science, technology, engineering, and math-related fields.**
- Provide or upgrade facilities and resources for career preparation in healthcare, nursing and early childhood education.
- Upgrade classroom technology.
- **Provide facilities for student support services such as tutoring and career counseling.**
- Improve classrooms and resources for paramedic, firefighter and public safety programs.
- **Improve vocational classroom and labs for auto repair, agriculture and environmental science programs.**
- Improve and expand facilities which prepare students for transfer to four-year college and universities.

\* \* \*

## **FISCAL ACCOUNTABILITY**

**This bond measure has strict accountability requirements including:**

1. All money will benefit Chabot College and Las Positas College campuses and **CANNOT BE TAKEN BY THE STATE.**

2. NO MONEY can be used for ADMINISTRATOR SALARIES or pensions.
3. Require CITIZENS' OVERSIGHT and yearly audits to ensure all funds are used locally, effectively and as promised.
4. NO ADMINISTRATOR SALARIES. Proceeds from the sale of the bonds authorized by this proposition shall be used only for the acquisition, construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, and not for any other purpose, including teacher, faculty and college administrator salaries, pensions and other operating expenses.
5. **FISCAL ACCOUNTABILITY. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.**

\* \* \*

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses, a customary contingency, and costs associated with the Total Cost of Ownership of facilities and equipment. In addition to the listed projects stated above, authorized projects also include the acquisition of a variety of instructional, maintenance and operational equipment, including interim funding incurred to advance fund projects from payment of the costs of preparation of all facility planning, fiscal reporting, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated college activities caused by construction projects. In addition to the projects listed above, repair, renovation and construction projects may include, but not be limited to, some or all of the following: renovation of student and staff restrooms; replace aging electrical and plumbing systems; repair and replacement of heating, ventilation and air conditioning systems; acquire vehicles; upgrade of facilities for energy efficiencies, including photovoltaic/solar installations; repair and replacement of worn-out and leaky roofs, windows, walls doors and drinking fountains; replace or remove outdated buildings and classrooms and construction of new classrooms and support buildings; installation of wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; upgrade facilities to meet current environmental sustainability and State compliance standards; repair and replacement of fire alarms, emergency communications and security systems; upgrading, resurfacing, replacing or relocating of hard courts, fields, turf and irrigation systems; install artificial turf on athletic fields; upgrade classrooms; build or upgrade facilities for math, physical sciences, fine arts, theatre arts, and agriculture and environmental science programs; construct, expand or reconfigure facilities to create large lecture classrooms; upgrade, resurfacing and reconditioning existing parking lots; repair, upgrade and install interior and exterior lighting systems; replace water lines and valves, sewer lines and other plumbing systems; construct, upgrade, acquire or expand student dorms on campus, multi-use classrooms and

labs, culinary and health services buildings, fine arts and visual and performing arts facilities, learning resources center, physical education/aquatic facilities, locker rooms, field lights, bleachers, press box, track replacement, administrative offices, conference center, maintenance building, student service/campus center and instructional buildings, trades and technology building, library, athletic fields, student services buildings; improve water conservation and energy efficiency; replace or upgrade outdated security and safety systems; replace existing window systems with energy-efficient systems to reduce costs; improve insulation, weatherproofing and roofs to reduce costs; improve access for the disabled; install and repair fire safety equipment, including alarms, smoke detectors, sprinklers, emergency lighting, and fire safety doors; replace broken concrete walks, deteriorated asphalt; replace/upgrade existing signage, bells and clocks; demolition of unsafe facilities; install new security systems, such as security (surveillance) cameras, burglar alarms, handrails, outdoor lighting, fencing, gates and classroom door locks; replace sewer lines and improve drainage systems to prevent flooding; upgrade roadway and pedestrian paths for improved safety and access for emergency vehicles, site parking, utilities and grounds. The project list also includes the refinancing of outstanding lease obligations. The upgrading of technology infrastructure includes, but is not limited to, upgrading classroom technology, the funding of state-of-the-art projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, information systems, printers, digital white boards, upgrade voice-over-IP, communication systems, audio/visual and telecommunications systems, call manager and network security/firewall, Internet connectivity, wireless systems, technology infrastructure, and other miscellaneous IT and instructional equipment, DATA storage, fiber/copper infrastructure, phones, identity access cards and the creation and funding of a technology endowment. At Chabot College, the Project List also includes the construction, expansion or improvement of a new student access center (student union), a biology and allied health science building, learning resources/library, seismic or other upgrades to the arcade, television, radio and performance facilities, administrative offices, workforce development labs and office, faculty offices and vehicle maintenance facility. At Las Positas College, the Project List includes the construction, expansion or improvement of a vocational education center, an integrated learning center, applied arts academic building, student dormitories, faculty housing, library materials and tech equipment.

The allocation of bond proceeds will be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District will not be able to complete some of the projects listed above. Some projects may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

**RESOLUTION OF THE BOARD OF EDUCATION OF THE  
LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT  
COUNTIES OF ALAMEDA AND CONTRA COSTA, STATE OF CALIFORNIA**

**RESOLUTION NO. 032-15/16**

**RESOLUTION ORDERING SCHOOL BOND ELECTION IN AN AMOUNT NOT TO EXCEED \$245,000,000 AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH**

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WHEREAS, the Board of Education (the “Board”) of the Livermore Valley Joint Unified School District (the “District”) is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the Education Code of the State of California (the “Education Code”); and

WHEREAS the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Education Code Sections 15100 et seq.; and

WHEREAS, pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, and Education Code Section 15266, school districts may seek approval of general obligation bonds and levy an ad valorem tax to repay those bonds upon a vote of at least 55% of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition; and

WHEREAS, the Board, deems it necessary and advisable to submit a bond proposition to the electors which, if approved by 55% of the votes cast, would permit the District to issue its bonds; and

WHEREAS, such a bond election must be conducted concurrently with a statewide primary election, general election, or special election, or at a regularly scheduled local election, as required by Education Code Section 15266; and

WHEREAS, on June 7, 2016, a statewide primary election is scheduled to be conducted throughout the District; and

WHEREAS, the District is located entirely within the Counties of Alameda and Contra Costa (each a “County” and together, the “Counties”) and the Alameda County Superintendent of Schools has jurisdiction over the District; and

WHEREAS, the District’s boundaries have not changed since the November 3, 2015 Election; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed \$60 per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, current estimates place the maximum projected tax rate levied to meet the debt service requirements of the bonds at approximately \$48 per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, Section 9400 et seq. of the Elections Code of the State of California (the "Elections Code") requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, the Board has found the statements listed under "Findings" in the full text of the measure to be true and correct; and

WHEREAS, if the project to be funded by the bonds will require State matching funds for any phase, the sample ballot must contain a statement, in form prescribed by law, advising the voters of that fact; and

WHEREAS, the Board finds that completion of all or a portion of certain projects listed in the bond project list will not require State matching funds not yet received by the District;

NOW, THEREFORE, THE BOARD OF EDUCATION OF LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT DOES HEREBY FIND, RESOLVE, DETERMINE AND ORDER, AS FOLLOWS:

1. Recitals. All of the above recitals are true and correct, and the Board so finds.
2. Specifications of Election Order. Pursuant to Education Code Sections 5304, 5322, 15100 et seq., and 15266, an election shall be held within the boundaries of the Livermore Valley Joint Unified School District on June 7, 2016, for the purpose of submitting to the registered voters of the District the proposition contained in Exhibit A-II hereto.
3. Order of Election; Specifications of Ballot Measure; Abbreviation of Proposition: Pursuant to Elections Code Section 13247 and Education Code Sections 5322 and 15122, this Board hereby directs the Registrars of Voters of the Counties (the "Registrars of Voters") to submit to the voters of the District at said election the proposition contained in Exhibit A-II hereto, and to use as the abbreviation of the bond proposition on the ballot the Abbreviation contained in Exhibit A-I hereto.
4. Required Certification. The Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List of the proposition contained in Exhibit A-II hereto.

5. Delivery of Order of Election and Tax Rate Statement to County Officers.

As soon as practicable following adoption of this Resolution, and in any event no later than March 11, 2016 (which date is not fewer than 88 days prior to the date set for the election), the Clerk of this Board is hereby directed to cause one copy of this Resolution to be filed (1) with the Clerk of the Board of Supervisors of each County, and (2) with the Registrar of Voters of each County. The copy filed with the Registrar of Voters shall include the Tax Rate Statement (in substantially the form attached hereto as Exhibit B), completed and signed by the Superintendent of Schools for the District.

6. Conduct of Election.

(a) Request to Registrar of Voters. Pursuant to Education Code Section 5303, the Registrars of Voters are required to, and are hereby requested to, take all steps to hold the election in accordance with law and these specifications.

(b) Ballot and Voter Pamphlet. The Registrars of Voters are requested to cause the exact wording of the Abbreviation of the Measure contained in Exhibit A-I to appear on the ballot, and to print the Full Text of the Measure contained in Exhibit A-II in the voter information pamphlet to be distributed to voters pursuant to Elections Code Section 13307. The full text of the measure is all that text in Appendix A hereto between the indicators:

“BEGINNING OF FULL TEXT OF MEASURE ----->>>>>” and

“<<<<<----- END OF FULL TEXT OF MEASURE.”

(c) Consolidation. Pursuant to Education Code Section 15266(a), the election shall be consolidated with the statewide general election on June 7, 2016, and pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Registrars of Voters and the Boards of Supervisors of the Counties are hereby requested to order consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same.

(d) Canvass of Results. The Boards of Supervisors of the Counties are authorized to canvass the returns of the election pursuant to Elections Code Section 10411.

(e) Required Vote. Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, the proposition contained in Appendix A shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

(f) Election Costs. This Board shall pay all costs of the election approved by the Boards of Supervisors of the Counties, pursuant to Education Code Section 5421.

7. [No Requirement of State Matching Funds. The District has determined that the projects to be funded from the proposed bonds will not require State matching funds for any phase thereof, and that Education Code Section 15122.5 does not apply to the proposition, and accordingly, the Registrar of Voters is directed not to include the disclosure otherwise required by that section.]

8. Ballot Arguments. The President of this Board, or any member or members of this Board as the President shall designate, is hereby authorized, but not directed, to prepare and file with each Registrar of Voters a ballot argument in favor of the proposition contained in Exhibit A hereof, within the time established by such Registrar of Voters, which shall be considered the official ballot argument of this Board as sponsor of the proposition.

9. Further Authorization. The members of this Board, the Superintendent, the Chief Business Officer, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this Resolution in accordance with the terms hereof and of applicable provisions of law.

10. Appointment of Bond Team. Isom Advisors, a division of Urban Futures Incorporated, is hereby appointed financial advisor to the District, and Orrick, Herrington & Sutcliffe, LLP is hereby appointed bond counsel, both in connection with the bonds issued pursuant to the election called hereby.

11. Effective Date; Required Vote. This Resolution shall take effect upon its adoption by a two-thirds vote of the Board of Education.

PASSED AND ADOPTED this day, March 7, 2016, by the following vote:

AYES: Bueno\_\_\_Rogge\_\_\_Runyon\_\_\_Wenzel\_\_\_White\_\_\_

NOES: Bueno\_\_\_Rogge\_\_\_Runyon\_\_\_Wenzel\_\_\_White\_\_\_

ABSTAIN: Bueno\_\_\_Rogge\_\_\_Runyon\_\_\_Wenzel\_\_\_White\_\_\_

ABSENT: Bueno\_\_\_Rogge\_\_\_Runyon\_\_\_Wenzel\_\_\_White\_\_\_

APPROVED:

ATTEST:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name  
President of the Board of Education of the  
Livermore Valley  
Joint Unified School District  
[Contra Costa/Alameda] County, California

\_\_\_\_\_  
Print Name  
Clerk of the Board of Education of the  
Livermore Valley  
Joint Unified School District  
[Contra Costa/Alameda] County, California

**EXHIBIT A-I**  
**ABBREVIATION OF THE MEASURE**

To renovate aging Livermore Valley Joint Unified School District classrooms and school facilities with funding that the State can't take away; improve fire safety and security systems; repair deteriorating roofs, plumbing, restrooms and electrical systems; modernize outdated classrooms, science labs and instructional technology; upgrade, acquire, construct, equip classrooms/facilities; and qualify for State matching funds, shall Livermore Valley Joint Unified School District issue \$245 million in bonds, at legal rates, requiring independent audits and public reports, no money for administrators, and keeping all funds local?

**EXHIBIT A-II  
FULL TEXT OF THE MEASURE**

BEGINNING OF FULL TEXT OF MEASURE ----->>>>>

FULL TEXT BALLOT PROPOSITION  
OF THE LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT  
BOND MEASURE ELECTION JUNE 7, 2016

**This Proposition may be known and referred to as the “[MEASURE NAME]” or as “Measure \_\_\_\_”.** *[letter designation to be assigned by the County Registrars of Voters]*

**FINDINGS**

The Livermore Valley Joint Unified School District (the “LVJUSD”) is committed to educational excellence and to continuing a strong and varied curriculum that prepares students to graduate and be successful in college and careers.

LVJUSD schools are among the highest performing in the State of California. Excellent local schools contribute to the quality of life and help to sustain strong property values in the LVJUSD community.

In 2013, the LVJUSD engaged professional consultants to guide a multi-year comprehensive facilities assessment. After three years of study and diligence, the LVJUSD facilities assessment was presented to the Board of Education on February 1, 2016.

The facilities assessment evaluated the LVJUSD’s facilities needs related to safety issues, repair and renovation needs, enrollment trends, class sizes, instructional best practices, and changing education/information technology needs in developing the scope of the capital projects to be undertaken.

The facilities assessment identified improvements needed to classroom infrastructure and instructional technology to ensure students are prepared for college and 21st-century careers.

The facilities assessment identified capital repairs necessary to keep schools well-maintained and safe, and to ensure that all students have equitable access to 21st-century classrooms, labs and school facilities.

The facilities assessment also identified energy efficiency improvements and upgrades to heating and ventilation systems that could help save on energy costs.

The LVJUSD also solicited and received input from teachers, staff, parents, community members, and the public as part of the facilities needs assessment.

The Board of Education has determined that facility repairs and improvements of this magnitude are beyond the scope of the LVJUSD’s operating budget.

Because the State is unable or unwilling to provide adequate funding for facility repairs and improvements, the Board of Education deems it necessary to seek local funding for school improvements.

Every penny of this local funding will benefit LVJUSD schools and cannot be taken by the State or used for administrator salaries.

In preparing and approving the Bond Project List, the Board of Education determined that the LVJUSD must:

- Ensure student access to programs in core academic subjects, career technical education (CTE) and advanced programs that prepare students for college;
- Update and modernize classrooms, science labs and flexible learning spaces that meet seismic, safety, and accessibility codes;
- Expand technology infrastructure and instructional technology equipment at all schools to support 21<sup>st</sup> century learning and skills development in subjects including, but not limited to, science, engineering, math and core academics;
- Complete basic repairs for projects that improve student safety and energy efficiency and ensure District facilities, which are also available and widely used for community use, are well maintained;
- Include teachers, staff, parents, students, and other key stakeholders in the planning process for design of the proposed projects on the Bond Project List.

## **BOND AUTHORIZATION**

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Livermore Valley Joint Unified School District (the “District”) shall be authorized to issue and sell bonds of up to \$245 million in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List, and in order to qualify to receive State matching grant funds, subject to all of the accountability safeguards specified below.

## **ACCOUNTABILITY SAFEGUARDS**

The provisions in this section are specifically included in this proposition in order that the District’s voters and taxpayers may be assured that their money will be spent wisely to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at California Education Code (the “Education Code”) Sections 15264 and following).

Evaluation of Needs. The Board of Education of the District (the “Board of Education”) hereby certifies that it has evaluated the facilities needs of the District, and the priority of addressing each of these needs. In the course of its evaluation, the Board of Education took

safety, class size reduction and information technology needs into consideration while developing the Bond Project List.

Limitation on Use of Bond Proceeds. The State of California does not have the legal authority to take locally approved school district bond funds for any State purposes. The California Constitution allows proceeds from the sale of bonds authorized by this proposition to be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities listed in this proposition, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff only when performing work on or necessary and incidental to the bond projects.

Independent Citizens' Oversight Committee. The Board of Education shall establish an independent Citizens' Oversight Committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are spent only for the school facilities projects listed in the Bond Project List. The Committee shall be established within 60 days of the date on which the Board of Education enters the election results on its minutes.

Annual Performance Audits. The Board of Education shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List.

Annual Financial Audits. The Board of Education shall conduct an annual, independent financial audit of the bond proceeds (which shall be separate from the District's regular annual financial audit) until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board of Education shall take actions necessary pursuant to California Government Code (the "Government Code") Section 53410 and following to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent or the Chief Business Officer of the District (or such other employee as may perform substantially similar duties) shall cause a report to be filed with the Board of Education no later than January 31 of each year, commencing January 31, 2017, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as such officer shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

## **FURTHER SPECIFICATIONS**

Specific Purposes. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and shall constitute the specific purposes of the bonds, and proceeds of the bonds shall be spent only for such purposes, pursuant to Government Code Section 53410.

Joint Use. The District may enter into agreements with the Counties of Alameda and Contra Costa or other public agencies or nonprofit organizations for joint use of school facilities financed with the proceeds of the bonds in accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby specifies and acknowledges that bond funds will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board of Education shall determine.

Rate of Interest. The bonds shall bear interest at a rate per annum not exceeding the statutory maximum, payable at the time or times permitted by law.

Term of Bonds. The number of years the whole or any part of the bonds are to run shall not exceed the legal limit, though this shall not preclude bonds from being sold which mature prior to the legal limit.

## PROJECT LIST

The Bond Project List below describes the specific projects the District proposes to finance with proceeds of voter approved bonds. Listed projects will be completed as needed at a particular District site according to Board of Education-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. Certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Until all project costs and funding sources are known, the Board of Education cannot determine the amount of bond proceeds available to be spent on each project, nor guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Completion of some projects may be subject to further government approvals by State officials and boards, to local environmental review, and to input from the public. For these reasons, inclusion of a project on the Bond Project List is not a guarantee that the project will be funded or completed. In order to provide flexibility should additional efficiencies be realized or should Board of Education priorities change, the Bond Project List contains more projects than the District currently estimates the Bonds can fund. The Board of Education may undertake repairs, rehabilitations, improvements, acquisitions, or new construction to complete each or any of the projects listed below as may be determined desirable by the District at the time the project is undertaken. Any authorized repairs are limited to capital expenditures. The project list does not authorize non-capital expenditures. The Board of Education may make changes to the Bond Project List in the future consistent with the projects specified in the proposition. Section headings are not part of the project list and are provided for convenience only.

**The projects listed below are authorized at all District sites including:** [Altamont Creek Elementary, Arroyo Seco Elementary, Emma C. Smith Elementary, Jackson Avenue Elementary, Leo Croce Elementary, Marylin Avenue Elementary, Rancho Las Positas Elementary, Sunset Elementary, Joe Michell K-8 School, Junction Avenue K-8 School, Andrew Christensen Middle School, East Avenue Middle School, William Mendenhall Middle School, Granada High School, Livermore High School, Almond Avenue Site, Arroyo Mocho Site, Del Valle/Fifth Street Site, the District Office, Ladd Avenue Property/Maintenance Site, Portola Site, and any sites acquired by the District in the future.]

## **SCHOOL SAFETY & CAMPUS SECURITY REPAIRS & UPGRADES THROUGHOUT THE SCHOOL DISTRICT**

### **School Site Safety Projects**

- Security and safety systems, including, but not limited to, fire alarm systems, intrusion and security systems, security lighting, and telephones and communication systems, etc.
- Walkways, perimeter fencing and exterior lighting, portable ramps with concrete and handrails.
- Playground equipment and safety surfacing.
- Parking lots, pick-up/drop-off zones, including, but not limited to, security fencing.

## **REPAIR, RENOVATE OR REPLACE AGING, DETERIORATED CLASSROOMS, LABS, CORE BUILDING INFRASTRUCTURE & EQUIPMENT THROUGHOUT THE SCHOOL DISTRICT**

### **Core Infrastructure Projects**

- Roofing, flashing, and waterproofing systems.
- Lighting, heating, ventilation, and air conditioning (HVAC) systems and Energy Management System (EMS) controls/irrigation systems.
- Site utilities and utility infrastructure, such as power, gas, and electrical water and sewage drainage, valves, back flow prevention, laterals, storm drains, water mains, sinks, water heaters, neutralization tanks, shower heads, and other fixtures, boilers, gas lines, control systems, automation systems, chilled water coils, control valves, etc.

### **General Modernization**

- Classroom, lab, performing arts, and/or physical education building interiors, walls, ceilings, floors, cabinetry, windows, doors and hardware.
- Student and staff restrooms, food service storage, preparation, and serving areas, food service equipment, administrative areas, counseling areas, student services areas, locker rooms, including lockers, portable classrooms (including acquisition), floors and roofs, structural repairs and improvements, windows, doors, and door locks, asbestos mitigation, façade improvements, etc.
- Portable classrooms.
- Multi-purpose rooms.
- Furniture, fixtures, and equipment.
- Building exteriors, siding, paint, windows, doors, entrances and hardware – including, but not limited to, classrooms, and other student support spaces.
- Local, state, and federal building, health, safety, access, and other compliance-related requirements, including, but not limited to, seismic safety requirements, Field Act requirements, and access requirements of the Americans with Disabilities Act (ADA).
- Renewable energy and energy-saving systems, improvements and equipment, including, but not limited to, electricity generation and distribution systems, water heating systems, natural light improvements, insulation, lighting, windows and window coverings,

shade structures, energy management and conservation systems, and structures to support such systems, improvements and/or equipment and related infrastructure.

## TECHNOLOGY INFRASTRUCTURE UPGRADES THROUGHOUT THE DISTRICT

- Network infrastructure and technology equipment, including, but not limited to, electrical capacity, and technology infrastructure, classroom and library technology; data ports, switching and cabling, computers, printers, modems, displays, and teaching equipment.

## UPGRADE OUTDOOR STRUCTURES, HARDSCAPES, FIELDS, LANDSCAPING AND EQUIPMENT ON SCHOOL GROUNDS THROUGHOUT THE DISTRICT

- School grounds, outdoor and sports facilities and structures, including, but not limited to, compliance with local, state, and federal building, health, safety, access, and other related requirements, including seismic safety requirements, Field Act requirements, and requirements of the Americans with Disabilities Act (ADA), new gymnasium and team-room, lighting, tennis courts, tracks and fields, pools and pool equipment (including chlorine rooms), bleachers, etc.
- Landscape, including but not limited to, walkways, walkway covers, ramps, soil stabilization, soil mitigation, fencing, new or repaired irrigation systems, grass areas, hard courts and playgrounds, etc.
- Outdoor shade structures and hydration stations.

The aforementioned projects are authorized at all District sites, including sites the District may acquire in the future.

### Incidental Work Authorized At All Sites (at which Projects listed above are undertaken)

Each project listed above includes allocable costs such as election and bond issuance costs, architectural, engineering, inspection and similar planning costs, construction management (whether by the District or a third-party), annual financial and performance audits, a contingency for unforeseen design and construction costs, and other costs necessary, incidental or related to the completion of the listed projects and otherwise permitted by law, including but not limited to:

- Remove hazardous materials, e.g., asbestos, lead, etc., if necessary or desirable
- Address unforeseen conditions revealed by construction/modernization (e.g., plumbing or gas line breaks, dry-rot, seismic, structural, etc.)
- Other improvements required to comply with building codes
- Furnishing and equipping
  - of newly constructed classrooms and facilities
  - replace worn/broken/out of date furniture and equipment
- Acquisition of any of the facilities on the Bond Project List through temporary lease, lease-lease-back, or lease-purchase arrangements, execution of a purchase option under a lease for any of these authorized facilities, or prepayment of lease payments.

- Demolition of existing facilities and reconstruction of facilities scheduled for modernization, if the Board of Education determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses.
- Rental or construction of temporary classrooms (including modular classrooms), and rental or construction of temporary locations, as needed to house students or administrative offices during construction.
- Necessary site preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of modular classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property.

The Bond Project List shall be considered a part of this ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

<<<<< ----- END OF FULL TEXT OF MEASURE.

## **EXHIBIT B**

### **TAX RATE STATEMENT**

An election will be held in the Livermore Valley Joint Unified School District (the "District") on June 7, 2016, to authorize the sale of up to \$245,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to issue the Bonds in multiple series over time. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400 through 9404 of the California Elections Code.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 4.8 cents per \$100 (\$48 per \$100,000) of assessed valuation in fiscal year 2016-2017.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 4.8 cents per \$100 (\$48 per \$100,000) of assessed valuation in fiscal year 2020-2021.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 4.8 cents per \$100 (\$48 per \$100,000) of assessed valuation in fiscal year 2020-2021.
4. The best estimate of the total debt service, including the principal and interest, that would be required to be repaid if all of the bonds are issued and sold is \$520,000,000.

The estimated rates presented above apply only to the taxes levied to pay bonds authorized by this measure. Additional taxes will be levied to pay bonds issued pursuant to previous, concurrent, and future authorizations.

Voters should note that estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County's official tax rolls, not on the property's market value, which could be more or less than the assessed value. In addition, taxpayers eligible for a property tax exemption, such as the homeowner's exemption, will be taxed at a lower effective tax rate than described above. Certain taxpayers may also be eligible to postpone payment of taxes. Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply, and the actual total debt service, may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over

the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors, including the legal limitations on bonds approved by a 55% affirmative vote. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Dated: \_\_\_\_\_ , 2016.

---

Superintendent of Schools  
Livermore Valley Joint Unified School District  
[Contra Costa/Alameda] County, California

CLERK'S CERTIFICATE

I, Clerk of the Board of Education of the Livermore Valley Joint Unified School District, Counties of Alameda and Contra Costa, California, do hereby certify as follows:

The attached is a full, true and correct copy of a Resolution duly adopted at a special meeting of the Board of Education of the District duly held at the regular meeting place thereof on March 7, 2016, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present. The Resolution was adopted by the following vote:

AYES:            Bueno \_\_\_ Rogge \_\_\_ Runyon \_\_\_ Wenzel \_\_\_ White \_\_\_

NOES:            Bueno \_\_\_ Rogge \_\_\_ Runyon \_\_\_ Wenzel \_\_\_ White \_\_\_

ABSTAIN:        Bueno \_\_\_ Rogge \_\_\_ Runyon \_\_\_ Wenzel \_\_\_ White \_\_\_

ABSENT: Bueno \_\_\_ Rogge \_\_\_ Runyon \_\_\_ Wenzel \_\_\_ White \_\_\_

An agenda of said meeting was posted at least 72 hours before said meeting at 685 East Jack London Blvd., Livermore, California, a location freely accessible to members of the public, and a brief description of said Resolution appeared on said agenda. A copy of said agenda is attached hereto.

I have carefully compared the same with the original minutes of the meeting on file and of record in my office. The Resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Pursuant to Section 5 of said Resolution, I have caused a certified copy thereof to be filed with the Clerks of the Boards of Supervisors of the Counties.

WITNESS my hand this \_\_\_ day of March, 2016.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print

Clerk, Board of Education  
Livermore Valley Joint Unified School District  
[Contra Costa/Alameda] County, California



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: April 12, 2016

Subject: KOMAC Electric, Inc., General Plan Amendment Study

---

**RECOMMENDATION(S):**

1. AUTHORIZE a General Plan Amendment (GPA) study to consider changing the General Plan land use designation for the 0.73-acre parcel located immediately north of the San Pablo Avenue/Crestwood Drive intersection in the San Pablo Area, Assessor's Parcel No. 185-220-023, from Multiple-Family Residential - High Density (MH) to Commercial (CO).

2. ACKNOWLEDGE that granting authorization for this request does not imply any sort of endorsement for the application to amend the General Plan, but only that the matter is appropriate for study.

**FISCAL IMPACT:**

None. If authorization is granted, the applicant will pay fees to cover the cost of processing the GPA study.

**BACKGROUND:**

The Department of Conservation and Development is in receipt of a letter (**Attachment A**) from Mr. Jack MacDonald of KOMAC Electric, Inc., requesting a GPA study involving the vacant property located immediately northeast of the San Pablo Avenue/Crestwood Drive intersection in the San Pablo area. The subject parcel is currently designated MH on the Land Use Element Map, Contra Costa County General Plan (2005-2020), and zoned Retail Business (R-B) District.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Will Nelson (925)  
674-7791

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

By: , Deputy

cc:

## BACKGROUND: (CONT'D)

>

Attached for the Board's consideration under **Attachment B** are maps and aerial photos of the site and its surroundings, showing the existing and proposed General Plan land use designations. The subject site is triangular, with the northwest side fronting San Pablo Avenue for approximately 280 feet, the northeast side abutting the rear of a single-family residential neighborhood, and the south side abutting the rear of a multiple-family residential development. Across San Pablo Avenue are single-family residences. The site contains several mature trees of unknown species and the topography is similar to a knoll or mound.

Mr. MacDonald's letter explains his intent to develop the site with a small two-story building containing three retail units on the lower floor and one office unit on the second floor. This necessitates the land use designation change from MH, which does not allow commercial uses. If the Board authorizes the GPA study, then the applicant will also file an application for a final development plan and possibly a land use permit, depending on the uses ultimately proposed.

Staff views the request for a GPA study to change the land use designation from MH to CO as reasonable. The project site is an infill opportunity in an area where there are numerous residences and no major retail centers. Neighborhood-serving retail/service uses of the kind envisioned for the proposed project (eateries, dry cleaners, salons, etc.) would be valuable additions to the area, adding convenience for residents and potentially reducing vehicle miles traveled overall. Additionally, the site's General Plan and zoning designations currently are inconsistent and redesignating the site to CO would remedy the inconsistency. Therefore, staff recommends that the General Plan Amendment study be authorized.

Authorization for this study does not imply support or endorsement for the application to amend the General Plan, but only that this matter is appropriate for study.

## CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not authorize the GPA study, then an application to amend the General Plan cannot be filed and the site will retain its MH land use designation. The proposed commercial project could not move forward.

## ATTACHMENTS

Attachment A - GPA Request Letter from J. MacDonald

Attachment B- GP16-0003 Map and Aerial Photo

John Kopchik, Director  
Contra Costa County  
Conservation and Development Department  
30 Muir Rd. Martinez, CA 94553

RE: Parcel # 405 203 018  
San Pablo Ave ( near Richmond Parkway)  
Unincorporated San Pablo

Dear John,

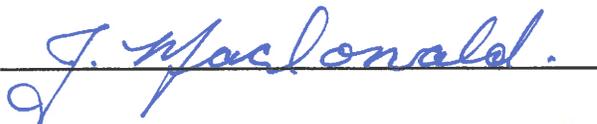
Please accept this letter as a formal request of the Board of Supervisors to authorize a General Plan Amendment Study of Parcel # 405 203 018 on the east side of San Pablo Ave next to Hilltop Commons, near Richmond Parkway & San Pablo Ave.

The property is zoned Retail / Business, however the General Plan calls out this property as High Density Residential.

We respectfully request that the designation on the General Plan reflect the zoning R/B.

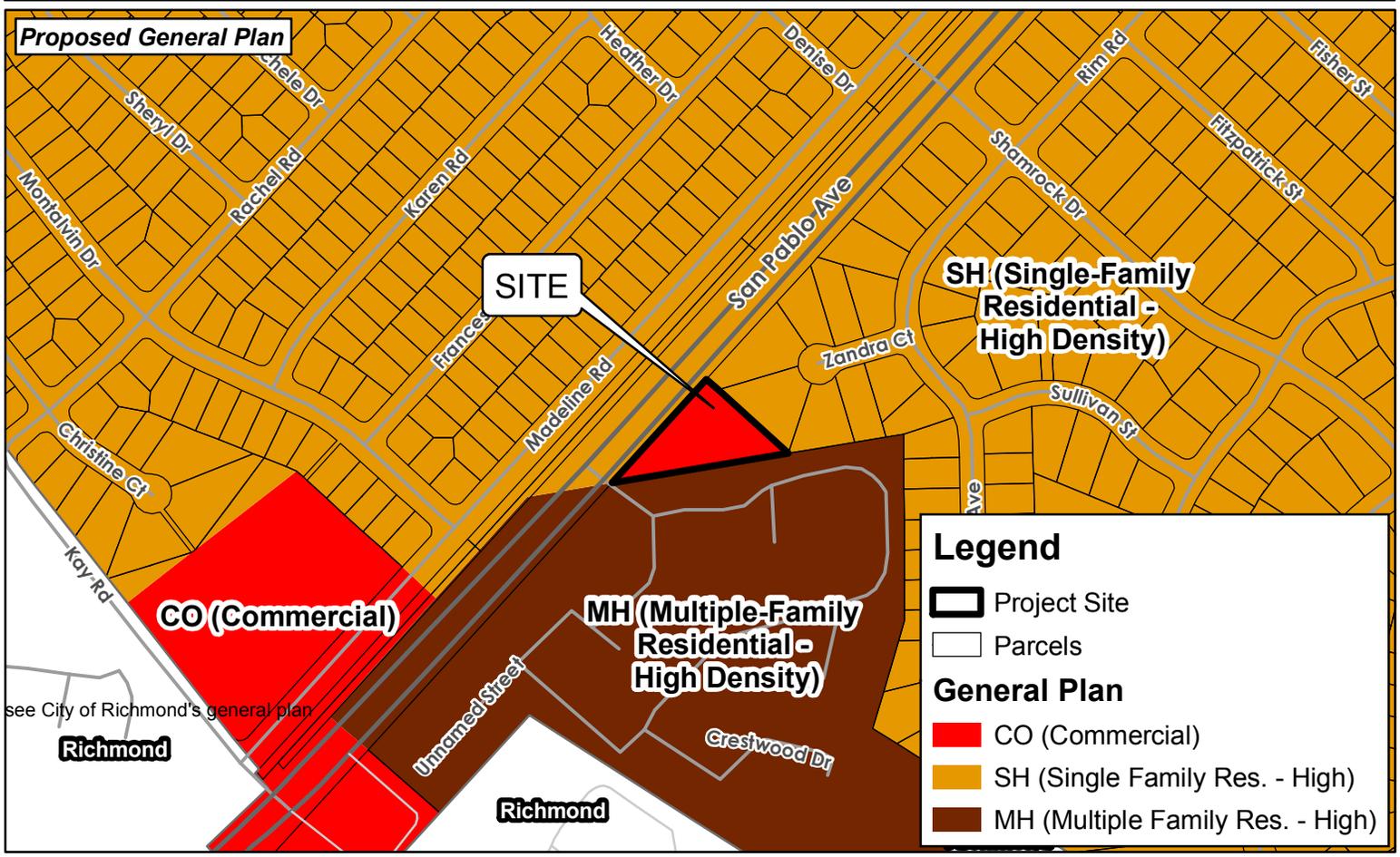
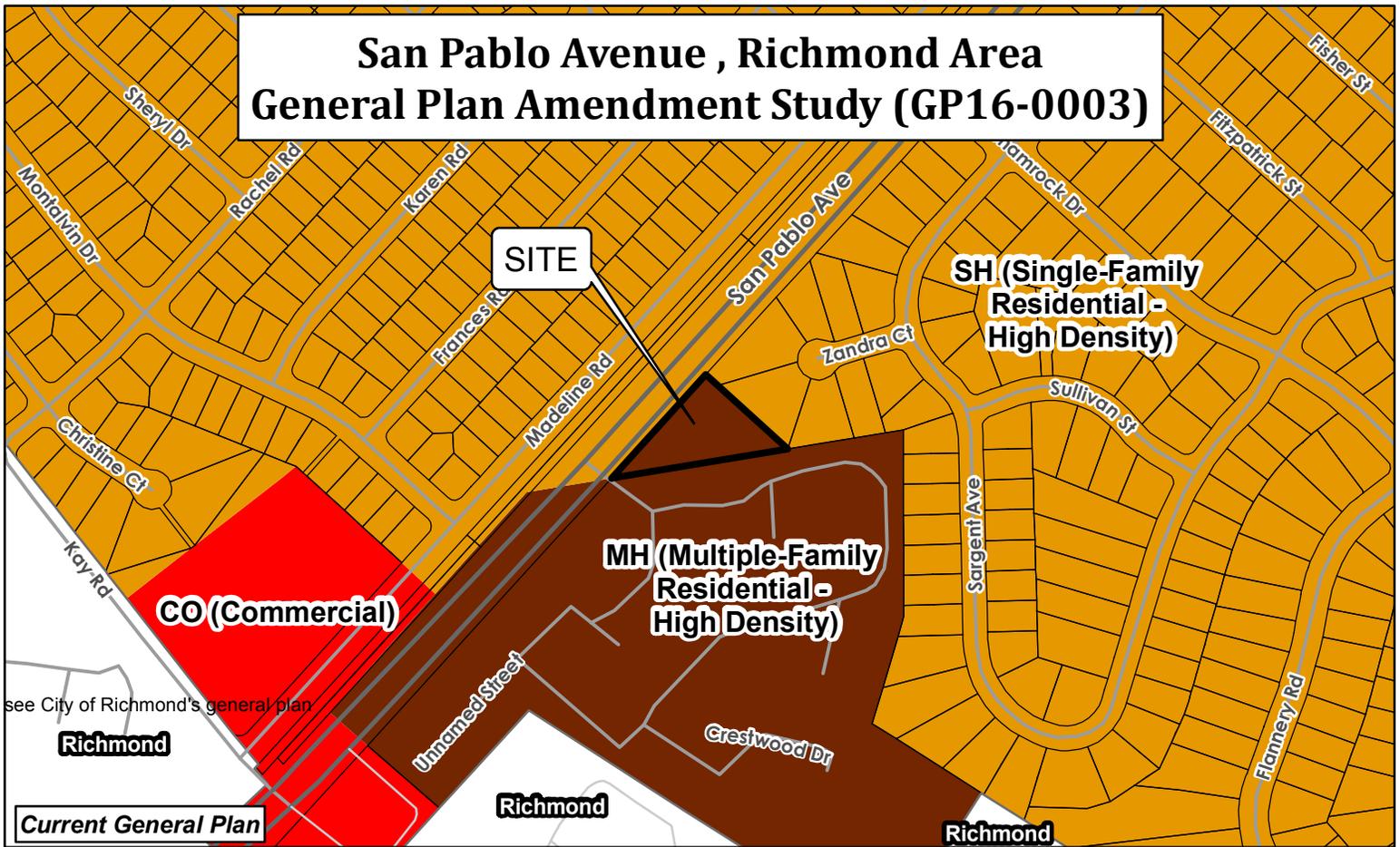
The purpose of the change is to allow for construction of a small two story mixed use building. The building will house 3 retail units on the lower level, and one office unit on the second story.

Thank you for your consideration. If you require any further information do not hesitate to call me at 925 951 3600



Jack MacDonald  
403-6 Olympus  
Hercules, CA., 94547

# San Pablo Avenue , Richmond Area General Plan Amendment Study (GP16-0003)

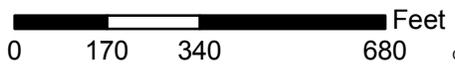


**Legend**

- Project Site
- Parcels

**General Plan**

- CO (Commercial)
- SH (Single Family Res. - High)
- MH (Multiple Family Res. - High)

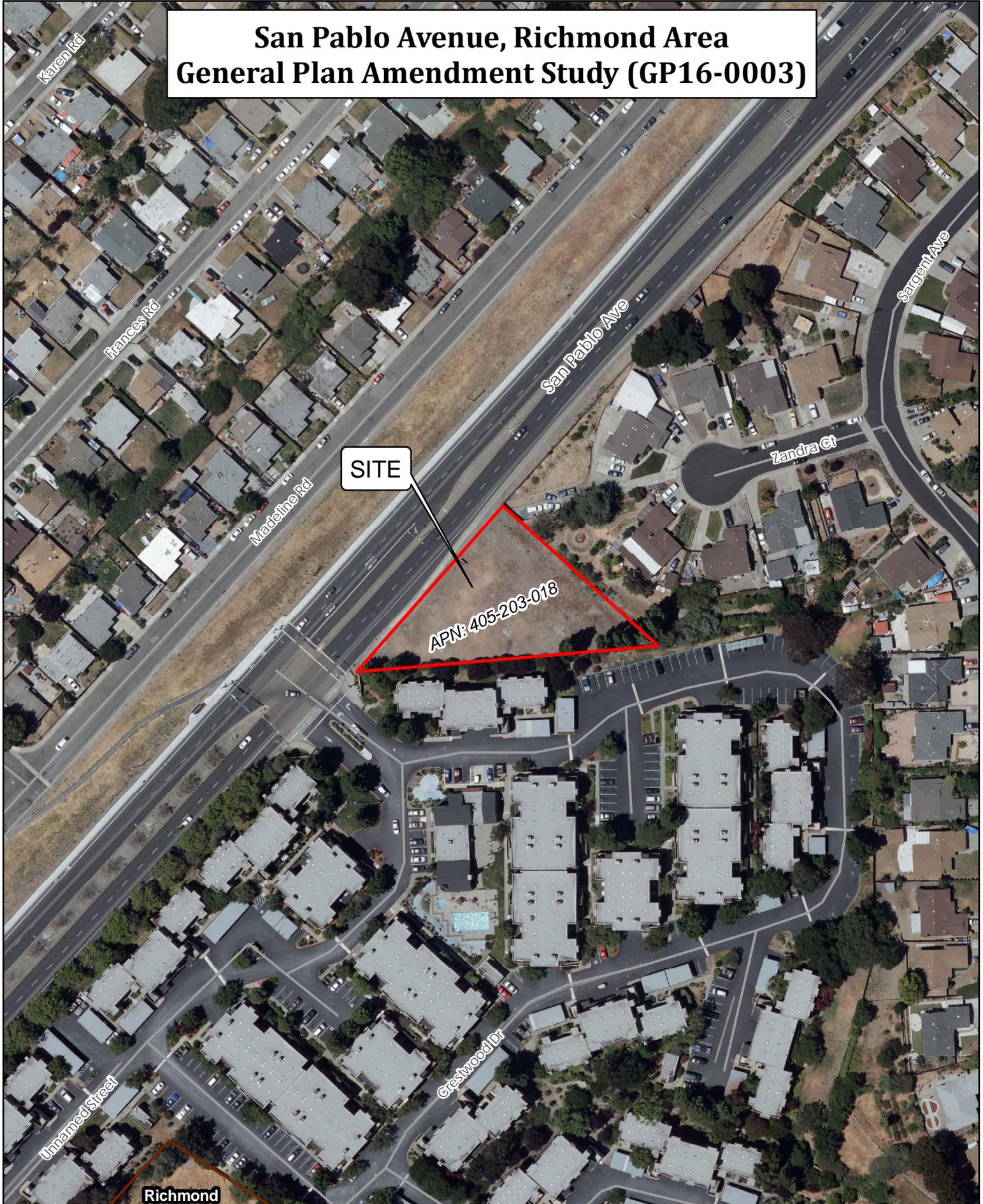


Map Created 11/19/2015  
by Contra Costa County Department of  
Conservation and Development, GIS Group  
30 Muir Road, Martinez, CA 94553  
37:59:41.791N 122:07:03.756W

This map was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.



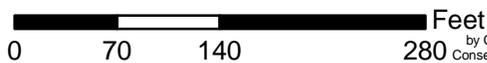
# San Pablo Avenue, Richmond Area General Plan Amendment Study (GP16-0003)



SITE

APN: 405-203-018

Richmond



Map Created 3/28/2016  
by Contra Costa County Department of  
Conservation and Development, GIS Group  
30 Muir Road, Martinez, CA 94553  
37:59:41.791N 122:07:03.756W

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Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Approve New and Recredentialing Providers in Contra Costa Health Plan's Community Provider Network

---

**RECOMMENDATION(S):**

Approve the list of providers recommended by Contra Costa Health Plan's Peer Review and Credentialing Committee on March 8, 2016, and by the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.

**FISCAL IMPACT:**

Not Applicable.

**BACKGROUND:**

The National Committee on Quality Assurance (NCQA) has requested evidence of Board of Supervisors approval for each CCHP provider be contained within the provider's credentials file.

The recommendations were made by CCHP's Peer Review and Credentialing Committee.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this action is not approved, Contra Costa Health Plan's Providers would not be appropriately credentialed and not be in compliance with the NCQA.

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Patricia Tanquary,  
313-6004

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

By: , Deputy

cc: Tasha Scott, Heather Wong, M Wilhelm

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

March Providers

**Contra Costa Health Plan**  
**Providers Approved by Peer Review and Credentialing Committee**  
**March 8, 2016**

<b>CREDENTIALING PROVIDERS MARCH 2016</b>	
<b>Name</b>	<b>Specialty</b>
Berry, Michael, M.D.	Urgent Care
Blau, Nathan, M.D.	Primary Care Internal Medicine
Blohm, Richard, M.D.	Urgent Care
Botelho, Barbara, M.D.	Primary Care Pediatrician
Callister, Devin, M.D.	Infectious Disease
Cheung, Ka Ling, M.D.	Pulmonary Disease
Cohen, Michael, M.D.	Pulmonary Disease/Internal Medicine
Fleck, Catherine, MFT	Behavior Analysis
Hoffmann, Victorina, M.D.	Primary Care Internal Medicine
Jothi, Sumana, M.D.	Otolaryngology
Kim, Haena, M.D.	Surgery - Plastic & Reconstructive
Kramer, Kristina, M.D.	Pulmonary Disease
Lewis, William, M.D.	Otolaryngology
Li, Tsung Tsuan, M.D.	Otolaryngology
Lozano, Rebeca, BCBA	Behavior Analysis
MacDannald, Harry, M.D.	Pulmonary Disease
Marsh, Jennifer, LCSW	Mental Health Services
Marwaha, Jatinder, M.D.	Internal Medicine/Sleep Medicine
Parnow, Kathryn, BCBA	Behavior Analysis
Samaniego, Armando, M.D.	Urgent Care
Shea, Whitney, BCBA	Behavior Analysis
Sinhbandith, Janet, BCBA	Behavior Analysis
Suresh, Sandhya, BCBA	Behavior Analysis
Warren, Kaitlin, NP	Primary Care Pediatrician
Wilkie, Harold, M.D.	Urgent Care
Zaka, Jamal, M.D.	Pulmonary Disease

<b>RE-CREDENTIALING PROVIDERS MARCH 2016</b>	
<b>Name</b>	<b>Specialty</b>
Caldeira, Joyce, MFT	Mental Health Services
Challenor, Peter, L.Ac	Acupuncture
Chin, Brian, M.D.	Surgery - General Surgery - Bariatric

<b>RECREREDENTIALING PROVIDERS MARCH 2016</b>	
<b>Name</b>	<b>Specialty</b>
Davis, Katrece, NP	Mid-Level Family Planning
DeVane, Barbara, DO	Ophthalmology
Diez Gonzalez, Yarigtnetzilem, OD	Optometry
Gollapudi, Ramakrishna, M.D.	Gastroenterology
Gould, Toby, MFT	Mental Health Services
Harris, Rick, DC	Chiropractic Medicine
Heifetz, Claude, DC	Chiropractic Medicine
Hufbauer, Ellen, M.D.	Family Planning
Le, Tuong-Vi, OD	Optometry
Myers, Nancy, LCSW	Mental Health Services
Nordensjo, Anna, M.D.	Primary Care Family Medicine
Ramos, Brenda, DC	Chiropractic Medicine
Respicio, S. Gabriel, OD	Optometry
Richardson, Diana, LEP	Behavior Analysis
Rivera-Lopez, Hector, Ph.D.	Mental Health Services
Rusby, Marsha, MFT	Mental Health Services
Stephens, Thomas, PA	Mid-Level Cardiovascular Disease
Swann, Beverly, MFT	Mental Health Services
Zimmerman, Daniel, M.D.	OB/GYN



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Health Care for Homeless Program Plan

---

**RECOMMENDATION(S):**

Approve the Health Services Department’s Health Care for the Homeless (HCH) Program’s response to the Health Resources and Services Administration (HRSA) 2015 Operational Site Visit findings as recommended by the Contra Costa Regional Medical Center Hospital Joint Conference Committee.

Acknowledge the audit findings, audit response and related policy changes were reviewed and approved by the Contra Costa Regional Medical Center Hospital Joint Conference Committee.

**FISCAL IMPACT:**

The HCH Program is grant-funded by the Health Resources and Services Administration (HRSA) of the federal government. A condition of this funding includes compliance with 19 Program Requirements. An operational site visit in July 2015 found a number of grant conditions that required attention. If the HCH program does not respond to these conditions, HRSA may restrict the Program’s grant funds, which totaled \$2,400,000 per year in January 2016.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Cynthia Belon 925  
957-5201

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

By: , Deputy

cc: J Pigg, M Wilhelm, Rachel Birch

## BACKGROUND:

The actions listed below were presented and discussed with the Hospital Joint Conference Committee (JCC) on March 28, 2016. The JCC approved the actions as presented, and recommended acceptance of the action plan to the full County Board.

## DISCUSSION:

HRSA recently completed an operational site visit and recommended specific actions be taken to address a number of program requirement conditions that were not met. Over the next four to six months the Department will be implementing procedural and policy changes to address these findings.

In response to the HRSA findings, the items that require Board approval at this time are as follows (note: the full findings for the program requirements listed below can be found on attachment A):

1. Program Requirement #5 After- Hours Coverage – Finding: The Health Centers lacked documentation on the website and in the health center sites to identify after-hours arrangements.

Action: Updates were made to the HCH website and Brochure directing patients seeking after-hours medical assistance to the Advice Nurse, Emergency Department, or to call 911 in case of an emergency. Verbiage on all Health Centers was updated to include the Advice Nurse phone number, Emergency Department address, and instructions to call 911 in case of an emergency. Approval of this action is requested.

2. Program Requirement #7 Sliding Fee Discounts – Finding: The Health Centers did not have HRSA approved signage posted, our existing policy was not explicit on our nominal charge criteria, and our policy was deficient in a number of other procedural areas.

Action: Changes were made to the Sliding Fee Discount Schedule Policy to meet the Program Requirement. Attachment B reflects the revised policy that meets HRSA guidelines. Approval of this policy is requested.

3. Program Requirement #8 Quality Improvement/Assurance Program – Finding: Lack of documentation supporting a system-wide focus on the improvement of HRSA Clinical Performance Measures, lack of documentation supporting communication of QI information to the Board of Supervisors relative to HRSA Clinical Measures, and lack of documentation supporting the evaluation process or rapid cycle process for improvement of those Clinical Performance Measures and outcomes.

Action: Attachment C includes the Health Care for the Homeless Program 2016/2017 Quality Improvement Plan which outlines monthly quality improvement meetings, a plan to use rapid cycle methodology in evaluative efforts, monthly fiscal updates to the Chief Financial Officer and quarterly clinical updates to the Board of Supervisors. The HCH Program also partnered with the Contra Costa Health Services (CCHS) Patient Safety and Performance Improvement Committee (PSPIC) to track Clinical Performance measures on a quarterly basis, and to use this partnership to gain system-wide CCHS support to improve these measures. Approval of the HCH Quality Improvement/Assurance Plan is requested.

4. Program Requirement #13 Billing and Collections Policies and Procedures – Finding: Lack of evidence of Board-approved Billing and Collection Policies.

Action: Attachments D-J reflect the CCHS Billing Policies and Procedures. Approval of the Billing and Collection Policies is requested.

5. Program Requirement #15 – Finding: Lack of documentation that CCHS uses EPIC data systems to review and evaluate results and the impact of clinical measures and outcomes to promote management decision-making, and lack of documentation that CCHS periodically reports on selected fiscal measures to management and/or the Board of Supervisors to assist them in reviewing and evaluating fiscal operations.

Action: Attachment C Contra Costa Health Care for the Homeless Quality Assurance and Performance Improvement Plan 2016-2017 includes the plan to report measures monthly to the CCHS Chief Financial Officer and quarterly to the Board of Supervisors, and includes a plan for the Health Care for the Homeless Quality Assurance and Performance Improvement committee to meet monthly to review clinical measures and outcomes to promote management decision-making. Approval of this plan is requested.

6. Program Requirement #17 Program Governance – Finding: Lack of documentation of HCH Program evaluation and CEO evaluation.

Action: Request Program evaluation in June or July 2016, and evaluation of the CEO of the Healthcare for the Homeless Program in September 2016. Approval of this plan is requested.

## CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the CCHS HCH Program risks being denied \$2,400,000 in grant funding for the Homeless.

CHILDREN'S IMPACT STATEMENT:

None

ATTACHMENTS

Attachment A - J

# Attachment A

# Health Center Program Site Visit Report

## TA Request Details

**TA Request Number:** TA001290

**Grantee Information:** **Contra Costa County Health Services Dept.**  
597 Center Ave # 150  
Martinez, CA 94553

**Contact:** Rachael Birch; rachael.birch@hsd.cccounty.us; (925) 313-6167

**Type of Visit:** Operational Site Visit

**Date(s) of Visit:** July 21 – 24, 2015

## Consultants

**Iris Sewell (Board Authority);** rainbow1410@juno.com; (773) 548-1830  
**David Adams (Team Leader - Clinical);** dadams@cp-tel.net; (318) 932-3829  
**William Turnley, Jr. (Financial);** wctbill@aol.com; (972) 276-8770

## Site Visit Participants

Name	Title	Interviewed	Entrance	Exit
Rachael Birch	HCH Project Director	Yes	Yes	Yes
Sue Crosby	Director of PHCS	Yes	Yes	Yes
Joseph Mega, MD	Medical Director HCH Program	Yes	Yes	Yes
William Walker, MD	Health Director/Health Officer/CCHS	No	Yes	Yes
Patrick Godley	COO/CFO	Yes	Yes	Yes
Chris Farnitano, MD	Ambulatory Care Medical Director	No	Yes	Yes
Jr Ang	Director of Patient Accounting	Yes	No	No
Mariano Mendoza	Accountant III	Yes	No	No

*This report has been prepared on behalf of the Health Resources and Services Administration, Bureau of Primary Health Care (HRSA/BPHC) for the purposes of oversight and guidance of HRSA/BPHC programs. The report contains final findings and recommendations reviewed and approved by HRSA/BPHC. This report identifies any findings of non-compliance with Health Center program requirements and may also include a review of clinical and financial performance.*

Ron C. Persevranza	Reimbursement Supervisor	Yes	No	No
Lucy delos Reyes	Accountant III	Yes	No	No
Alvin Silva	Nurse Program Manager	Yes	Yes	Yes

## Program Requirement Compliance Review Summary

Program Requirement Compliance Review	Compliance Status
1. Needs Assessment	Met
2. Required and Additional Services	Met
3. Staffing Requirement	Not Met
4. Accessible Hours of Operation/Locations	Met
5. After-Hours Coverage	Not Met
6. Hospital Admitting Privileges and Continuum of Care	Met
7. Sliding Fee Discounts	Not Met
8. Quality Improvement/Assurance Plan	Not Met
9. Key Management Staff	Met
10. Contractual/Affiliation Agreements	Met
11. Collaborative Relationships	Met
12. Financial Management and Control Policies	Met
13. Billing and Collections	Not Met
14. Budget	Met
15. Program Data Reporting Systems	Not Met
16. Scope of Project	Not Met
17. Board Authority	Not Met
18. Board Composition	Met
19. Conflict of Interest Policy	Not Met

*This report has been prepared on behalf of the Health Resources and Services Administration, Bureau of Primary Health Care (HRSA/BPHC) for the purposes of oversight and guidance of HRSA/BPHC programs. The report contains final findings and recommendations reviewed and approved by HRSA/BPHC. This report identifies any findings of non-compliance with Health Center program requirements and may also include a review of clinical and financial performance.*

# Attachment B

**Patients Accessing Services at Contra Costa Regional Medical Center (CCRMC)  
who are Ineligible for the Basic Health Care,  
Medi-Cal and Commercial Insurance Programs  
(Sliding Fee Schedule)**

**I. PURPOSE**

This policy is intended to address a single episode of care only and is not to be used for ongoing patient care requests. Specific benefit plans will be utilized when adults with incomes less than 200% of the Federal Poverty Level (FPL), are admitted to CCRMC, receive care in the Emergency Department (ED), or are referred to CCRMC for outpatient care. Individuals must be Contra Costa County residents in order to be eligible for this program.

**II. REFERENCES**

Board of Supervisors Resolution No. 2009/187  
Welfare and Institutions Code Section 17000  
Health Resources and Services Administration (HRSA)

**III. AUTHORITY AND RESPONSIBILITY**

Hospital and Health Centers Administration and Financial Counseling

**IV. POLICY**

When authorization for medical services has been granted by the Chief Medical Officer (CMO) or designee, the Financial Counselor will financially screen the patient to determine for which program the patient may be eligible and assign the appropriate plan code. Patients may receive medically necessary follow-up appointments, lab & radiology studies and specialty visits through Contra Costa Health Services (CCHS) while admitted or immediately upon discharge from CCRMC. Coverage Code 903001 - Administrative Override / Rx Coverage Only will cover costs for prescription medication for patients who are admitted and discharged from CCRMC for a thirty (30) day period or are discharged from the emergency room for a five (5) day period. If it is necessary for follow-up care to go beyond the initial requested timeframe, authorization must be obtained from the CMO or designee.

**V. PROCEDURE**

**A. Financial Screening - Sliding Fee Schedule for Services**

1. The Financial Counselor will conduct an initial screening to determine if the patient is eligible for Presumptive Medi-Cal, which includes PRUCOL, restricted or emergency Medi-Cal, Breast and Cervical Cancer Treatment Programs and Long Term Care/Kidney Dialysis. Additionally, patients will be screened to

determine if they are eligible for insurance through Covered California or the Basic Health Care Program (Note: Individuals who fail or have failed to apply for insurance through Covered California, are not eligible for a sliding fee scale adjustment).

2. If found to be ineligible for the programs listed above, patients will be screened by a Financial Counselor to verify their income. Patients will be required to pay a discounted rate for services based upon where their income falls in the current Federal Poverty Level Guidelines and will not be discriminated against on the basis of age, gender, race, creed, disability or national origin. See Attachment A for the sliding fee schedule and income guidelines.
3. Patients with incomes above 200% of the Federal Poverty Level will be evaluated for the Discount Program. See Health Services Policy # 707-C, Discount Payment Program for more information.
4. Patients who are identified as homeless or at risk for homelessness and are ineligible for a coverage program specified in Section I.1, a Financial Counselor will enter the Homeless benefit plan into cLink. See policy, Homeless Patients Accessing Inpatient, Emergency and Outpatient Services at Contra Costa Regional Medical Center (CCRMC), for more information about access to health care services for the homeless population.
5. Patients will be required to complete an application for the Sliding Fee Scale Program. Upon receipt of a Verifications Request Notice from the Financial Counseling Unit, patients will be required to provide documentation to verify their residency and income as well as submit a signed Rights and Responsibilities Form. Patients will receive written notification of their Sliding Fee Discount payment or, if applicable, the reason for denial of their application.
6. Patient Accounting will adjust the charges for services per the sliding fee schedule and income guidelines per notes entered by a Financial Counselor in cLink.
7. If ineligible or if a Financial Counselor does not interview the patient prior to discharge from Inpatient or the ED, the financial coverage will remain Private Pay.
8. Medical services will be provided regardless of one's ability to pay. The Patient Accounting Director will inform the Health Services Department's Chief Financial Officer (CFO) of the extenuating circumstance(s) that impacts a patient's ability to

pay the nominal or discounted fee per the Sliding Fee Schedule. The CFO will make the decision to waive the entire or partial amount of what the patient owes for medical services rendered.

**B. Attending Physician determines that specialty or ancillary follow-up care is REQUIRED after discharge from the Inpatient Unit.**

1. **Making the decision to provide specialty follow-up care at CCHS** should only be done for select patients with complex medical or surgical conditions and in which specialty follow-up care will result in a significantly earlier discharge from the hospital.
  - a. If the attending physician determines that the patient needs follow-up care, the physician is required to send an authorization request to the Chief Medical Officer (CMO) or designee indicating the medical necessity.
  - b. The CMO will use the following criteria to approve the requested services: Emergency medical condition means a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in any of the following:
    - i. Placing the patient's health in serious jeopardy
    - ii. Serious impairment to bodily functions
    - iii. Serious dysfunction to any bodily organ or part
  - c. The CMO will send the approved authorization to the Financial Counseling Health Services Administrator to verify coverage for the patient and provide final authorization to proceed with the medical services.
  - d. A Financial Counselor will screen the patient to determine for which program the patient may be eligible. If the patient is ineligible for a payment plan, the patient will remain Private Pay.
  - e. Utilization Review (UR) and the attending provider will be notified of the approved authorization if services are provided within the CCRMC system or if an authorization is needed for specialty services outside of CCRMC.
2. **Follow-up appointments:** The attending physician will submit a referral for CCHS specialty clinics in cLINK.

3. **Discharge medications:** When an uninsured patient is discharged from the inpatient unit, the patient will receive a 30 day supply of medication. A Financial Counselor will enter 903001 - Administrative Override / RX Coverage Only coverage into cLink, which allow the patient to obtain medication from Walgreens.
  4. **Lab tests and radiology studies:** At discharge, patients authorized to obtain specialty follow-up care with CCHS will obtain lab and radiology studies up to one month post-discharge.
  5. **Discharge medical records:** Medical records will send the discharge summary, medication list, and recent labs upon request to a local health care organization or community clinic if the patient chooses to receive follow-up care outside of CCHS.
- C. Attending Physician determines specialty or ancillary follow-up care is REQUIRED after discharge from the Emergency Room.**
1. **Making the decision to provide specialty follow-up care at CCHS:** Financially eligible patients discharged from the emergency room can obtain authorization to receive specialty clinic visits, labs and studies through CCHS for up to 30 days post ED visit. This should only be done for select patients who have complex medical or surgical issues.
    - a. The attending physician will use the following criteria to determine if the follow-up care is medically necessary: Emergency medical condition means a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in any of the following:
      - i. Placing the patient's health in serious jeopardy
      - ii. Serious impairment to bodily functions
      - iii. Serious dysfunction to any bodily organ or part
    - b. The attending physician will send an email to the Financial Counseling Health Services Administrator explaining the need to proceed with the medically necessary services. The Health Services Administrator will verify the patient's coverage and provide final authorization to proceed with the medical services.
    - c. After an authorization has been granted for follow-up care, the Financial Counselor will financially screen the patient and assign the appropriate

benefit plan code. If the patient is ineligible for a payment plan, the patient will remain Private Pay.

- d. The Health Services Administrator will request authorization for follow-up services from the CMO or designee in the event the patient remains Private Pay and there is a question regarding the medical necessity of the services requested by the attending physician based upon the emergency criteria.
2. **Follow-up appointments:** The attending physician will submit a referral for CCHS specialty clinics in cCLINK.
  3. **Discharge Medications:** When an uninsured patient is discharged from the ED, the patient will receive a 5 day supply of medication. A Financial Counselor will enter 903001 - Administrative Override / RX Coverage Only coverage into cCLink, which will allow the patient to obtain medication from Walgreens. During the hours a Financial Counselor is unavailable, the patient may call the main number for CCRMC between the hours of 7:00 AM and 7:00 PM to be directed to a Financial Counselor.
  4. **Lab and radiology studies** – At discharge, patients authorized to obtain specialty follow-up care with CCHS will obtain lab and radiology studies up to one month post-discharge.
  5. **Discharge Medical Records:** Medical records will send the discharge summary, medication list, and recent labs upon request to a local health care organization or community clinic if the patient chooses to receive follow-up care outside of CCHS.

#### **D. Referrals from External Providers for Specialty Services**

1. Referring provider will contact the CMO, Financial Counseling Health Services Administrator and/or the CCRMC UR Unit to request CCRMC to receive a medically necessary transfer for specialty care services.
2. The CMO will use the following criteria to approve the requested services: Emergency medical condition means a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in any of the following:
  - i. Placing the patient's health in serious jeopardy
  - ii. Serious impairment to bodily functions
  - iii. Serious dysfunction to any bodily organ or part

3. If the patient is new to the CCRMC system, the Health Services Administrator will send a request for a new medical record number to the Registration Manager to create a shell Hospital Account Record (HAR).
4. Financial Counseling will verify coverage and the initiation of a PRUCOL application if applicable.
5. A Financial Counselor will update the benefit plan code in e2Search and ccLink.
6. Utilization Review (UR) will be notified of the approved authorization if services are provided within the CCRMC system or if an authorization is needed for specialty services outside of CCRMC.
7. The patient will be advised to receive follow-up primary care with the health care organization from which the patient was referred.

**Benefit Plan codes:**

248001 UNDOC FPL 0-100  
248002 UNDOC FPL 101-133  
248003 UNDOC FPL 134-150  
248004 UNDOC FPL 151-200  
248005 UNDOC FPL Above 200  
249001 SELF PAY FPL 0-100  
249002 SELF PAY FPL 101-133  
249003 SELF PAY FPL 134-150  
249004 SELF PAY FPL 151-200  
249005 SELF PAY Above 200  
903001 - Administrative Override / RX Coverage Only

**Attachments:**

Attachment A - Sliding Fee Schedule FPL

**Authored by**

Health Services Administrator

**Approved by**

Chief Operations Officer / Chief Financial Officer

**Original Date:** January 2014

**Date Revised:** January 1, 2016

**Note:** This policy replaces the August 2013 policy, Patients Accessing Inpatient and Emergency Department Services at Contra Costa Regional Medical Center (CCRMC)- Sliding Fee Schedule.

## FPL Guidelines with Sliding Fee and Discount Schedules

### 2015/2016 FEDERAL HHS POVERTY GUIDELINES [48 States]

		Monthly Income Thresholds by Sliding Fee and Discount Pay Class and Percent Poverty (At or Below FPL%)						
		Poverty Level						
		100%	133%	150%	200%	250%	300%	350%
		Sliding Fee Discount				Discount Program		
Family Size	Annual Income	\$25	65%	50%	45%	35%	35%	35%
1	\$11,770	\$981	\$1,305	\$1,472	\$1,962	\$2,453	\$2,943	\$3,434
2	\$15,930	\$1,328	\$1,766	\$1,992	\$2,656	\$3,320	\$3,984	\$4,648
3	\$20,090	\$1,674	\$2,226	\$2,511	\$3,348	\$4,185	\$5,022	\$5,859
4	\$24,250	\$2,021	\$2,688	\$3,032	\$4,042	\$5,053	\$6,063	\$7,074
5	\$28,410	\$2,368	\$3,149	\$3,552	\$4,736	\$5,920	\$7,104	\$8,288
6	\$32,570	\$2,714	\$3,610	\$4,071	\$5,428	\$6,785	\$8,412	\$9,499
7	\$36,730	\$3,061	\$4,071	\$4,592	\$6,122	\$7,653	\$9,183	\$10,714
8	\$40,890	\$3,408	\$4,533	\$5,112	\$6,816	\$8,520	\$10,224	\$11,928
For each additional person add,	\$4,160	<b>NO ASSET TEST REQUIRED - Percent Reduction from Charges</b>						

Reference: Federal Register, Vol. 78, No. 16, January 22, 2015

<https://www.federalregister.gov/articles/2015/01/22/2015-01120/annual-update-of-the-hhs-poverty-guidelines>

#### **SLIDING FEE SCHEDULE BY INCOME RANGE (0-200%)**

#### **DISCOUNT FEE SCHEDULE BY INCOME RANGE (201-350%)**

**\* Includes Emergency, Inpatient, Outpatient, Specialty and Dental Services**

# Attachment C

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# **Contra Costa Health Care for the Homeless, Quality Assurance and Performance Improvement Plan 2016-2017**

## **MISSION**

The mission of the Contra Costa County Health Care for the Homeless Program (HCH) is to improve the health care status of the homeless population in our county by providing accessible, culturally sensitive, non-traditional clinics in the community and to assist the homeless with access to the traditional primary health care system.

## **GOALS**

The goals of HCH Program are to: increase access to medical, dental, and behavioral health care for the homeless population; to provide high quality medical, dental, and behavioral health care for the homeless population; and to help homeless patients transition into the mainstream health care delivery system with an appropriate primary care provider and a medical home.

## **STRUCTURE AND ACCOUNTABILITY**

### **Board of Supervisors**

The Contra Costa County Board of Supervisors is charged with fiscal and administrative oversight for the Contra Costa Health Services Department (CCHS), which includes the Health Care for the Homeless Program. To that end, the Board of Supervisors approves the CCHS annual budget. The Board of Supervisors (“Board”) retains overall responsibility and accountability for the quality of patient care, including the safety of patients, staff and visitors and the appropriate utilization of resources. The Board holds the Contra Costa Health Care for the Homeless Medical Director and the Public Health Division Director accountable for the quality of patient care.

The Project Director and members of the Contra Costa Inter-jurisdictional Council of Homelessness make an annual oral and written report to the County Board of Supervisors Family and Human Services Committee, along with a second written report to the full Board

## **Contra Costa Inter-jurisdictional Council on Homelessness**

Consumer input to our quality of care is through an advisory board, the “Contra Costa Inter-jurisdictional Council on Homelessness,” (“CCICH” or “the Council”). The Council includes homeless and formerly homeless consumers, staff from interfaith programs, Healthcare for the Homeless, the Homeless Program, Social Services and others. The Council meets monthly and makes written formal reports to the Board of Supervisors at least twice per year.

### **Consumer Advisory Board**

There is a Consumer Advisory Board that meets at least 10 times a year with Health Care for the Homeless staff. They provide input on the quality of care and Issues from these meetings are taken up the CCICH.

## **FRAMEWORK**

The framework of the HCH Quality Improvement Program is developed from data:

- 1) Clinical Audits including Peer Review
- 2) HRSA Clinical and Financial Measures as part of UDS reporting
- 3) Patient Satisfaction Surveys
- 4) Consumer meetings and focus groups
- 5) Unusual Occurrence Reports
- 6) Patient Complaints
- 7) Monthly staff meetings
- 8) Weekly case rounds at Homeless shelters and clinics

Data is reviewed and analyzed by the Medical Director, the Project Director, the Nurse Program Manager and other nursing staff.

## **RISK MANAGEMENT**

All unusual, unexpected, or untoward occurrences, including “near misses” at HCH sites are reported by staff witnessing the event using an unusual occurrence form. Unusual Occurrences include falls, medication errors, equipment failures, assaults, property theft, treatment events, etc. including events which have the potential to harm a patient even if no harm occurs.

HCH is a small program and unusual occurrences and errors are unusual. Unusual occurrences and errors are analyzed immediately by the Nurse Program Manager and sent to the Medical Director as indicated. They are also reviewed for trends annually by the Nurse Program Manager and discussed with the team. Reports are filed for three to five years to trend infrequent occurrences. High risk and high-volume unusual occurrence events are used to identify quality improvement initiatives.

## QUALITY OVERSIGHT

The Medical Director and Nurse Program Manager shall be accountable for the quality of patient care:

### 1. Medical Error Reduction:

- a. If trends are identified the Medical Director and Nurse Program Manager shall assure there is measurable improvement in indicators with a demonstrated link to the reduction of medical errors.
- b. The Medical Director and Nurse Program Manager shall review the experiences of other Healthcare for the Homeless Programs as they become available and assure that measures shown to be effective in reducing medical errors are implemented within the organization.

2. **Quality Indicators:** The Medical Director and Nurse Program Manager shall oversee measurement, and shall analyze and track quality indicators, including adverse patient events and other measures of the effectiveness and safety of services and quality of care.

3. **Prioritization:** The Medical Director and Nurse Program Manager shall prioritize performance improvement activities to assure they have an appropriate focus. They focus on issues of known frequency, prevalence or severity and shall give precedence to issues affecting health outcomes, quality of care and patient safety.

4. **Quality Improvement Projects:** The Medical Director and Nurse Program Manager shall oversee quality improvement projects, the number and scope of which shall be proportional to the scope and complexity of the services offered.

## HCH Clinical Quality of Care

### Care provided by Nurse Practitioners

Care provided by an NP is authorized by their California NP license and as an authorized employee of Contra Costa Health Services.

### Care by Registered Nurses and Public Health Nurses:

RNs and PHNs providing clinical care operate within the scope of their nursing license. For straightforward common situations when there is no doctor or nurse practitioner available, they also operate under Standing Orders from the licensed Medical Director. They also have access to the Medical Director and HCH FNPs who can give verbal orders for urgently needed care. Such orders are cosigned by adding a note to the electronic medical record.

### Care provided by non-licensed staff:

Unlicensed staff such as Community Health Workers, Substance Abuse Counselors,

and Mental Health Specialists are restricted to activities permitted for non-licensed personnel and all care is performed under the supervision of licensed personnel.

## **HCH Framework for Chronic Care Improvement**

A. The Chronic Care Model was developed by the Dr. Ed Wagner and spread by the Improving Chronic Illness Care Group of the MacColl Institute and by the Institute for Healthcare Improvement. The Chronic Care Model (CCM) has been adopted for FQHC sites by the Health Disparities Collaboratives of the Bureau of Primary Care. It has been piloted by numerous collaborative teams within and without of Contra Costa Health Services. In order to improve clinical quality of care Contra Costa HCH strives to implement these sections of the CCM:

- 1) Community -- identifies resources and collaborations that enhance the system of care
- 2) Organization of Health Care -- how the organization supports the care of chronic diseases through Board awareness and senior management leadership
- 3) Clinical Delivery System Design-- how the team operates to provide care
- 4) Decision Support – knowledge and information for providers in making care decisions
- 5) Self-Management Support – Skills that staff use to support patients in activities to manage their disease
- 6) Clinical Information System – comprehensive electronic medical record and patient care registries to track individual patient's progress and healthcare team performance

B. The Model for Improvement , popularized by the Institute for Healthcare Improvement, is a scientifically tested method of using data to test small changes. Resources for major quality improvement efforts are limited, but to the extent possible HCH improvement projects will be guided by the Model for Improvement. To improve patient outcomes, the organization must design processes well and systematically monitor, analyze, and improve its performance. The essential processes for improvement are Plan, Do, Study Act.

### **PLAN**

Measure current performance  
Analyze information gathered  
Improvement Opportunity identified  
Design improvement w/ performance expectations

### **DO**

Test/Implement

### **STUDY**

Leadership collects, analyzes, and measures against standard  
Feedback to team  
Expectations met?

**ACT**

Yes, expectations met: educate staff & standardize

No, expectations not met: re-design

C. Program Evaluation Annually: To assure the appropriate approach to planning processes of improvement; setting priorities for improvement; assessing performance systematically; implementing improvement activities on the basis of assessment; and maintaining achieved improvements, the organizational quality assessment & performance improvement program is evaluated for effectiveness at least annually and revised as necessary.



## HCH Quality Improvement Work Plan 2016-2017

### Priorities for 2016-2017:

- \*Improve Self-Management Support to all patients
- \*Improve Chronic Disease care with a focus on Diabetes and Hypertension
- \*Improve outcomes on all HRSA Clinical and Financial Measures
- \*Improve Health Care Maintenance Compliance with a focus on Cervical and Colorectal Cancer Screenings

### Evaluation:

1. Quarterly Case Rounds by Medical Director and Nurse Program Manager & Peer Review
2. HRSA Clinical Measures as part of UDS reporting. ccLink, the CCHS EHR system, will be used to collect patient data and report on the following performance measures. Reports are published on the County's intranet site.
  - Increase percentage of homeless diabetic patients whose HbA1c levels are less than or equal to 7 percent.
  - Decrease percentage of homeless diabetic patients whose HbA1c levels are greater than or equal to 9 percent.
  - Increase percentage of homeless adult patients with diagnosed hypertension whose most recent blood pressure was less than 140/90.
  - Increase percentage of homeless women who received one or more Pap tests.
  - Increase percentage of homeless pregnant women beginning prenatal care in the first trimester.
  - Decrease percentage of births less than 2,500 grams to health center homeless patients
  - Increase percentage of homeless children with completed appropriate immunizations by 2nd birthday
  - Increase percentage of homeless patients receiving mental health/substance abuse services
  - Increase percentage of patients receiving dental services.
  - Increase percentage of patients aged 2 to 17 years who had a BMI percentile documentation, counseling for nutrition, and counseling for physical activity.
  - Increase the percentage of patients age 18 years or older who had their BMI calculated at the last visit or within the last six months and, if they were overweight or underweight, had a follow-up plan documented.
  - Increase percentage of patients age 18 and older who are users of tobacco and who received advice to quit smoking or tobacco use.

- Increase percentage of patients age 5 to 40 years with a diagnosis of persistent asthma who were prescribed either the preferred long term control medication or an acceptable alternative pharmacological therapy.
  - Increase percentage of patients with a diagnosis of CAD prescribed a lipid lowering therapy.
  - Increase percentage of patients who were discharged alive for AMI, CABG, PRCA or who had a diagnosis of IVD and who had documentation of use of aspirin or another antithrombotic during the measurement year.
  - Increase percentage of patients 50 to 75 years who had appropriate screening for colorectal cancer.
  - Increase percentage of patients screened for depression with appropriate follow-up plan documented if screened positive
3. Patient Satisfaction Surveys: Surveys are conducted by HCH staff at the point of care and are reviewed by managers and program staff to develop planned actions. Results are reported annually to CCICH general council meetings.
  4. Consumer meetings are held monthly and used to gather data on reported health needs. Data is analyzed and report to CCICH at monthly meetings. Focus Groups are held bi-monthly.
  5. Incident Reports: gathered quarterly and discussed with staff. If trends are identified remediation will be planned.
  6. Patient Complaints: are dealt with on an individual basis
  7. Staff meetings provide opportunity for identifying real time operational or clinical problems and brainstorming solutions. The HCH QI committee will meet monthly to review UDS Clinical performance measures and evaluate results. Data will be used to promote management decision-making.
  8. CCHS Quality Improvement Reports: The HCH team will report quarterly to the CCHS Patient Safety and Performance Improvement Committee to review progress towards selected Clinical Performance measures. Reports to the Board of Supervisors will be made quarterly to include both fiscal and clinical performance measure data.
  9. Fiscal Reports: The HCH Program will report on Financial Performance measures to the CCHS CFO monthly and to the Board of Supervisors twice per year. Report will include YTD fiscal data relating to operations and revenue.

# Attachment D

## Insurance Verification

### I. PURPOSE

The provide guidelines to the clerk during the insurance verification process.

### II. REFERENCE

Refer to internal procedures.

### III. POLICY

The clerk will request insurance information from the patient, patient's parent, legal guardian or designee presenting for care during the registration process.

### IV. AUTHORITY AND RESPONSIBILITY

Clerks, Clerical Supervisors and Manager

### V. PROCEDURE

A. The patient, patient's parent, legal guardian or designee presents to the registration unit to register for a scheduled or unscheduled visit.

B. The clerk will screen the patient, patient's parent, legal guardian or designee for insurance coverage during the registration process.

1. **Insurance card is provided.** The clerk will:

- a. Scan the insurance card in the patient's Electronic Health Record (EHR) if the insurance card is not on file.
- b. Use the coverage if it exist and is active, or add the coverage to the patient's EHR and verify the coverage, as applicable

2. **Patient has Insurance but the card is NOT provided.** The clerk will:

- a. Use existing coverage if it is still *active*, OR, add the new insurance information to the patient's EHR only when *sufficient* insurance information is provided so that it can be *electronically* verified.
  - 1) Verify coverage electronically, if applicable.
  - 2) In good faith use the existing coverage if unable to verify coverage electronically and the billers on the backend will confirm if the coverage is still effective for the date of service.
- b. If the coverage is not *active* in the patient's HER, or the coverage could not be electronically verified, the clerk will "self pay" the account and provide the patient, patient's parent, legal guardian or designee with a Patient Accounting self-addressed envelope and request a copy of the insurance card (front and back) be mailed to Patient Accounting.

3. **Patient has NO Insurance.** The clerk will:

- a. Screen the patient, patient's parent, legal guardian or designee to determine if the patient qualifies for any insurance the clerk can complete during the registration process.

- b. For a patient who presents to the Emergency Department, or who is admitted to the hospital the clerk and/or Financial Counselor will screen the patient, patient's parent, legal guardian or designee to determine if the patient qualifies for any insurance.
  
- C. CCHS Contra Costa Health Centers Wallet Card with Financial Counselor contact information will be provided to the patient, patient's parent, legal guardian or designee, as applicable.

**Authored by**

Registration and Staffing Manager

**Approved by**

Chief Nursing Officer

Director, Patient Accounting

**Date Reviewed**

11/12/2015

**Date Revised**

11/12/2015

# Attachment E

## **CLAIMS FILING AND GENERAL A/R COLLECTIONS**

### **I. PURPOSE**

To outline the procedures for filing claims to the payer and collecting monies due to Contra Costa Health Services from payers and patients.

### **II. REFERENCE**

CAO Bulletin 206 – Accounts Receivable

CCRMC/HCs Policy and Procedure Manual, Policy No. 810 – Completion of Patient Encounter for Billing

CCRMC/HCs Policy and Procedure Manual, Policy No. 175 – Contract Payment

### **III. POLICY**

It is the policy of Contra Costa Health Services to attempt to collect the total charges incurred for patient services from a patient's health insurance carrier. If the patient has no third party coverage, we explore whether the patient is eligible for any program that provides medical coverage or whether they qualify for a self-pay/charity discount. Claims are sent to eligible payer(s) and unpaid balances, including deductibles, co-pays, co-insurance and any non-covered items or services are billed to the patient's guarantor.

### **IV. AUTHORITY/RESPONSIBILITY**

Patient Accounting Manager

### **V. PROCEDURE**

We attempt to collect outstanding balances on the accounts receivable as quickly as possible. We submit claims to the insurance carriers then look at other programs that provide coverage, and then bill the patient for any unpaid account balance.

#### **1. Claim Filing**

- a. Claim Editing – to help expedite claim adjudication/reimbursement and reduce claim denials from payers, claim edits are configured in both Epic and our third party electronic billing system to scrub institutional and professional claims against payer-specific billing edits. Billing staff correct any errors and the clean claims are filed electronically in most cases or hard-copy via mailing.
- b. Claim Follow-Up – the Epic system is configured to select denied claims and unpaid accounts and place in Work Queues for the biller to follow-up with the payer or the patient.
- c. Denied Claims – billers appeal specific types of denials and work with medical records, utilization review and third party agencies for assistance in appealing the denial through supporting documentation.

2. **Health Coverage Programs** – for patients that are eligible for one of the health coverage programs, the balance due is appropriated to the specific program through account adjustments.
3. **Self-Pay Billing**
  - a. Charity/Discounts – financial counselors screen patients to determine if they qualify for a percentage discount based on family income and/or high out-of-pocket medical expenses.
  - b. Guarantor Statements – guarantors are sent a minimum of 4 monthly statements to collect on the outstanding self-pay balance and are informed of their urgency to remit based on dunning messages that change as the account ages.
  - c. Timed Payments/Contract Payment – payment contracts may be established for patients/guarantors who can settle their balance within three months of initial billing. If the patient requires more than three months to make payments, the account is referred to a 3<sup>rd</sup> party agency for long-term payment arrangements.
  - d. Delinquent Accounts – are referred to a 3<sup>rd</sup> party collection agency following their Final Notice statement or when a mail return is received and skip tracing is unsuccessful.

VI. **RESPONSIBLE STAFF PERSON**  
Chief Financial Officer of Contra Costa Health Services

# Attachment F

**PAYMENT POSTING**

**I. PURPOSE**

To outline the procedures for posting payments to patient accounts.

**II. REFERENCE**

CAO Bulletin 206 – Accounts Receivable

**III. POLICY**

It is the policy of Contra Costa Health Services to post payments to patient accounts on either the day the payment is received or the first business day following receipt of payment.

**IV. AUTHORITY/RESPONSIBILITY**

Patient Accounting Manager

**V. PROCEDURE**

Payments are collected and posted in multiple departments depending on the payee and the time in which the payment is received.

1. **Patient Check-Out/Discharge** - staff attempts to collect self-pay balances/deposits, share of cost balances, and co-payments at the time of service before the patient is discharged. These payments are posted electronically to the patient's account using a Point of Sale system and a receipt is issued to the patient.
2. **Business Office Window** – patients may come to the business office to make a payment and the same process is followed as above with the Point of Sale system.
3. **Mail Receipt** – payments received in the mail from either an insurance company or patient are sent to a central location in the business office and are batched, scanned and posted to the accounts the same day or by the next business day.
4. **Electronic Remittance Advice** – payments received electronically from insurance companies are posted to accounts the same day using the Epic ERA application.

**VI. RESPONSIBLE STAFF PERSON**

Chief Financial Officer of Contra Costa Health Services

# Attachment G

## **COMPLETION OF PATIENT ENCOUNTER FOR BILLING**

### **I. PURPOSE**

To outline the procedures for collecting the information necessary to bill insurance carriers, other programs that provide medical coverage, or the patient for the total charges of the services rendered.

### **II. REFERENCE**

CAO Bulletin 206 – Accounts Receivable  
CCRMC/HCs Policy and Procedure Manual, Policy No. 175 – Contract Payment

### **III. POLICY**

It is the policy of Contra Costa Health Services to complete the patient encounter with the information necessary to bill and collect the total charges incurred for services rendered. This information includes but is not limited to patient and guarantor demographics, insurance coverage information, charges, procedures, diagnoses, and providers.

### **IV. AUTHORITY/RESPONSIBILITY**

Patient Accounting Manager. Additionally, individual responsibilities reside with the managers of the departments outlined below.

### **V. PROCEDURE**

We attempt to complete the patient encounter as quickly as possible to ensure timely and accurate billing of services. We rely on different departments to collect and complete the encounter information and we utilize the Epic System to configure and perform the checks and balances to ensure completion of information prior to billing

#### **1. Registration**

- a. Insurance Eligibility Checks – are performed to verify insurance benefits and subscriber information.
- b. Registration Edits – alert the registrar to correct errors or complete missing information at time of registration check-in and check-out.
- c. Patient Work Queues – identify missing information or data inconsistencies that still exist after completing the registration.

**2. Financial Counselors** – work with uninsured patients to enroll them in programs that provide medical coverage, screen them for charity discounts or make payment arrangements for private pay patients

#### **3. Healthcare Providers and Clinicians**

- a. Charge Capture – providers and clinicians are responsible for submitting accurate charges for services rendered and supplies used that are consistent with the documentation on the patient’s medical chart.
- b. Closing Encounters – In order to generate charges, providers must complete the clinical workflows and documentation to accurately reflect each service rendered to a patient.

**4. Medical Records/Health Information Management**

- a. Coding Work Queues – identify accounts that need coding completed or that have coding errors/conflicts that need to be corrected prior to billing.
- b. Chart Completion Tools – identify incomplete charts so that the medical records staff can work with the providers to ensure completion of required information.

**5. Patient Accounting**

- a. Discharged/Not Billed Work Queues – catch accounts that require verification or correction of information prior to billing based on payer-specific billing requirements.
- b. Claim Editing – claim edits are configured in both Epic and our third party electronic billing system to scrub the claims against payer-specific billing edits. Fixing the errors prior to billing expedites payment and reduces denials..
- c. Dashboard Reporting - to help ensure timely billing, reports are configured to allow managers and supervisors to monitor work queue activity and identify work queues that are being neglected, including accounts approaching the payer's timely filing deadline

**VI. RESPONSIBLE STAFF PERSON**

Chief Financial Officer of Contra Costa Health Services

# Attachment H

## **REFUND AND OVERPAYMENT PROCESSING**

### **I. PURPOSE**

To outline the procedures for identifying overpayments on accounts and issuing refunds to the payer or patient.

### **II. REFERENCE**

CAO Bulletin 206 – Accounts Receivable

CCRMC/HCs Policy and Procedure Manual, Policy No. 820 – Payment Posting

### **III. POLICY**

It is the policy of Contra Costa Health Services to refund overpaid accounts when the patient/guarantor notifies us or when we discover them through routine follow-up on credit balance accounts.

### **IV. AUTHORITY/RESPONSIBILITY**

Patient Accounting Manager

### **V. PROCEDURE**

We issue refund checks to insurance companies and patient/guarantors as quickly as possible when overpayments are discovered. We assign staff to work credit balance Work Queues to identify overpayments and initiate the refund process.

1. **Credit Balance Work Queues** – accounts are routed to Credit Balance Work Queues when a credit balance exists on the account. Staff review the accounts and initiate the refund process when an overpayment is confirmed.
2. **Refund Request Work Queues** – accounts are routed to Refund Request Work Queues when staff has completed the necessary paperwork so that the refund clerk can obtain approvals and forward paperwork to the Auditor-Controller to issue the refund check. Upon receipt of the check from the Auditor-Controller, the refund clerk posts the refund to the patient's account and mails the check to the payee.
3. **Credit Balance Reporting** - to help monitor credit balances, the Dashboard includes credit balance totals and totals by credit balance work queues.

### **VI. RESPONSIBLE STAFF PERSON**

Chief Financial Officer of Contra Costa Health Services

# Attachment I

**MEDICARE SECONDARY PAYER SCREENING**

- I. PURPOSE  
The clerk will screen all Medicare patients to determine if Medicare is a secondary payer to any other health coverage or program.
- II. REFERENCES  
Department of Health and Human Services Centers for Medicare & Medicaid Services.
- III. POLICY  
The clerk will complete a Medicare Secondary Payer Screening questionnaire for every Medicare patient who presents to register for outpatient or inpatient services.
- IV. AUTHORITY AND RESPONSIBILITY  
Clerks, Lead Specialist, Clerical Supervisors, Manager
- V. PROCEDURE
  - A. Medicare Secondary Payer Screening questionnaire will be completed for all Medicare patients registering for outpatient and inpatient services.
  - B. Every Medicare patient will be asked the Medicare Secondary Payer Screening questions and answered, as applicable.
  - C. If, during the registration process the clerk determines that there is a primary responsible insurer, a responsible employer or that the patient does have alternate health insurance, then the patient should be registered with the appropriate primary payer. Medicare should be identified in the registration as the secondary payer.
  - E. The Medicare Secondary Payer Screening Questionnaire will be electronically filed as part of the registration visit.

**Authored by**

Registration and Staffing Manager

**Approved by**

Chief Nursing Officer  
Director, Patient Accounting

**Date Reviewed**

7/29/2015

**Date Revised**

7/29/2015

# Attachment J

## Registration Intake and Checkout Process

### I. PURPOSE

The provide guidelines to the clerk during the registration intake and checkout process.

### II. REFERENCE

Refer to the internal procedures.

### III. POLICY

All patients who present for care at Contra Costa Regional Medical Center and Health Centers will be checked in and checked out using the Electronic Health Record (EHR) system.

### IV. AUTHORITY AND RESPONSIBILITY

Clerks, Clerical Supervisors and Manager

### V. PROCEDURE

- A. The patient, patient's parent, legal guardian or designee presents to the registration unit to register for a scheduled or unscheduled visit.
- B. The clerk will complete the registration intake process. The intake process will consist of the following:
  1. Patient Demographic Information
  2. Responsible Party Information (Guarantor Account)
  3. Emergency Contact Information
  4. Insurance Information
  5. Visit Information
  6. Provide Applicable Notice(s)
  7. Sign Applicable Form(s)
- C. The clerk completes the checkout process once the registration intake process is complete.
- D. The clerk will direct the patient, patient's parent, legal guardian or designee to the designated clinical area.

#### Authored by

Registration and Staffing Manager

#### Approved by

Director, Patient Accounting

**Date Reviewed:** 2/10/2016

**Date Revised:** New



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: April 12, 2016

Subject: COMMUNITY CHOICE ENERGY AGGREGATION NON-DISCLOSURE AGREEMENT WITH PG&E

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Administrator or designee to execute, on behalf of the County, a Community Choice Aggregator Non-Disclosure Agreement with Pacific Gas and Electric Company, including modified indemnification language, to obtain electrical load data within Contra Costa County.

**FISCAL IMPACT:**

There is a \$920 charge from PG&E to obtain the requested electrical load data, which will be paid from the approved budget for the Department of Conservation and Development (DCD).

**BACKGROUND:**

On March 15, 2016, the Board of Supervisors authorized DCD to proceed with conducting a technical study to evaluate alternatives for potential implementation of a Community Choice Energy program. To conduct this study, the County must request and obtain electrical load data from Pacific Gas and Electric Company (PG&E) for electrical accounts within the unincorporated area, and within the boundaries of the cities that have authorized the County to obtain such data on their behalf.

Utility customer information is confidential and not subject to disclosure. (Pub. Util. Code, § 8380.) The Public Utilities Commission has authorized electricity providers to release utility customer to public agencies when they are considering whether to participate in community choice energy or community choice aggregation. However, the PUC requires the public agency to enter into a non-disclosure agreement with the electricity provider, to ensure that utility customer information will remain confidential.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Julie DiMaggio Enea  
(925) 335-1077

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: DCD, CAO

BACKGROUND: (CONT'D)

Pursuant to the PUC's requirements, before PG&E will release electricity load data to the County, PG&E will require the County to enter into a Community Choice Aggregator Non-Disclosure Agreement ("NDA"). Under this agreement, the County will be required to indemnify PG&E, its affiliates, subsidiaries, parent companies, officers, employees, and agents from any claims related to the County or its representatives' use or disclosure of confidential utility data that the County receives from PG&E. County employees and consultants that will have access to the electricity load data will need to execute an acknowledgement that they agree to maintain and dispose of the load data in accordance with the terms of the NDA.

Staff recommends that the Board of Supervisors approve the recommended action so that the County can proceed with conducting a technical study to evaluate alternatives for implementing a community choice energy program.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not authorize County staff to take the recommended action, staff will not be able to conduct a technical study of Community Choice Energy, as previously directed by the Board.

ATTACHMENTS

CCE Non-Disclosure Agreement Form with PG&E



**Electric Sample Form No. 79-1031**  
Community Choice Aggregator Non-Disclosure Agreement

**Please Refer to Attached  
Sample Form**

# COMMUNITY CHOICE AGGREGATOR NON-DISCLOSURE AGREEMENT

This Non-Disclosure Agreement (“Agreement”) is entered into by and between Pacific Gas and Electric Company (“Utility”) and \_\_\_\_\_ [name] \_\_\_\_\_, a \_\_\_\_\_ [describe political entity] \_\_\_\_\_ (“CCA”) as of \_\_\_\_\_ (“Effective Date”). This Agreement is executed pursuant to California Public Utilities Commission (“CPUC”) Order Instituted Rulemaking (“OIR”) 03-10-003, California Public Utilities Code (“PU Code”) Section 366.2 et seq., and applicable Utility tariffs (as modified hereafter from time to time). As used herein Utility and CCA may each be referred to individually as a “Party” and collectively as “Parties.”

The CPUC has determined that CCA/Community may obtain specified confidential customer information from Utility pursuant to Tariff Schedules E-CCAINFO-Information (as modified hereafter from time to time) (“E-CCAINFO”) as a community choice aggregator, as defined by PU Code Section 331.1, solely in order to investigate, pursue or implement community choice aggregation pursuant to PU Code Section 366.2, et seq. or confidential customer electric and gas consumption data to implement energy efficiency programs pursuant to PU Code section 381.1. The provisions of this Agreement and E-CCAINFO govern the disclosure of Utility’s confidential customer information to CCA/Community (“Disclosure Provisions”) under Schedules E-CCAINFO and E-CCA.

The Parties hereby mutually agree that:

1. Subject to the terms and conditions of this Agreement, current proprietary and confidential information of Utility regarding customers of Utility (“Utility Customers”) may be disclosed to CCA from time to time in connection herewith as provided by the Disclosure Provisions and solely for the purpose of investigating, pursuing or implementing community choice aggregation pursuant to PU Code Section 366.2, et seq. as a community choice aggregator or to implement energy efficiency programs pursuant to PU Code section 381.1. Such disclosure is subject to the following legal continuing representations and warranties by CCA:
  - (a) CCA represents and warrants that, pursuant to PU Code Section 331.1,
    - (1) it is either (i) a city, county, or other entity as defined in PU Code Section 331.1 whose governing board has elected to combine the loads of its residents, businesses, and municipal facilities in a community wide electricity buyers program or (ii) a city, county, or other entity as defined in PU Code Section 331.1 that intends to actively investigate or pursue delivery of electric service to customers located within the geographic territory of the CCA, and
    - (2) that to investigate, pursue or implement community choice aggregation under PU Code Section 366.2 et seq., or to implement energy efficiency programs pursuant to PU Code section 381.1;

## COMMUNITY CHOICE AGGREGATOR NON-DISCLOSURE AGREEMENT

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- (b) CCA represents and warrants that it has all necessary authority to enter into this Agreement, and that it is a binding enforceable Agreement according to its terms;
  - (c) CCA represents and warrants that the authorized representative(s) executing this Agreement is authorized to execute this Agreement on behalf of the CCA; and
  - (d) CCA confirms its understanding that the information of Utility Customers is of a highly sensitive confidential and proprietary nature, and that such information will be used as contemplated under the Disclosure Provisions solely for the purposes of investigating, pursuing or implementing Community Choice Aggregation under PU Code Section 366.2 as a community choice aggregator or to implement energy efficiency programs pursuant to PU Code section 381.1, and that any other use of the information may permit Utility to suspend providing further information hereunder.
  - (e) CCA represents and warrants that it will implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure, and prohibits the use of the data for a secondary commercial purpose not related to community choice aggregation or energy efficiency purposes without the customer's prior consent to that use.
2. The confidential and proprietary information disclosed to CCA in connection herewith may include, without limitation, the following billing information about Utility Customers: Customer-specific information from the current billing periods as well as prior 12 months consisting of: service agreement number, name on agreement, service address with zip code, mailing address with zip code, telephone number, meter number, monthly kWh usage, monthly maximum demand where available, electrical or gas consumption data as defined in PU Code Section 8380, other data detailing electricity or gas needs and patterns of usage, Baseline Zone, CARE participation, End Use Code (Heat Source) Service Voltage, Medical Baseline, Meter Cycle, Bill Cycle, Balanced Payment Plan and other plans, HP Load and Number of Units and monthly rate schedule for all accounts within the CCA's territory. In addition, PG&E will provide the CCA the following additional information regarding customers currently enrolled in its CCA service: current and historical billing information for non-CCA services provided by PG&E or other electric service providers (collectively, "Confidential Information"). Confidential Information shall also include specifically any copies, drafts, revisions, analyses, summaries, extracts, memoranda, reports and other materials prepared by CCA or its representatives that are derived from or based on Confidential Information disclosed by Utility, regardless of the form of media in which it is prepared, recorded or retained.

## COMMUNITY CHOICE AGGREGATOR NON-DISCLOSURE AGREEMENT

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3. Except for electric and gas usage information provided to CCA pursuant to this Agreement, Confidential Information does not include information that CCA proves (a) was properly in the possession of CCA at the time of disclosure; (b) is or becomes publicly known through no fault of CCA, its employees or representatives; or (c) was independently developed by CCA, its employees or representatives without access to any Confidential Information.
4. From the Effective Date, no portion of the Confidential Information may be disclosed, disseminated or appropriated by CCA, or used for any purpose other than to investigate, pursue or implement community choice aggregation under PU Code Section 366.2 et seq. as a community choice aggregator or to implement energy efficiency programs pursuant to PU Code section 381.1 as permitted under this Agreement and the Disclosure Provisions.
5. CCA shall, at all times and in perpetuity, keep the Confidential Information in the strictest confidence and shall take all reasonable measures to prevent unauthorized or improper disclosure or use of Confidential Information. CCA shall implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure and prohibits the use of the data for a secondary commercial purpose not related to community choice aggregation or energy efficiency. Specifically, CCA shall restrict access to Confidential Information, and to materials prepared in connection therewith, to those employees or representatives of CCA who have a “need to know” such Confidential Information in the course of their duties with respect to the CCA program and who agree to be bound by the nondisclosure and confidentiality obligations of this Agreement, provided, however, that, an Energy Service Provider, agent, or any other entity, including entities that provide both direct access (as codified in Assembly Bill No. 1890, Stats. 1996, ch. 854) and community choice aggregation services shall limit their utilization of the information provided to the purposes for which it has been provided and shall not utilize such information, directly or indirectly, in providing other services, including but not limited to Direct Access services, in order to effectuate the obligations of this Agreement. Prior to disclosing any Confidential Information to its employees or representatives, CCA shall require such employees or representatives to whom Confidential Information is to be disclosed to review this Agreement and to agree in writing to be bound by the terms of this Agreement by signing the “Non-Disclosure Agreement for CCA Employees or Representatives” form attached as Exhibit A hereto. CCA shall provide Utility with copies of the signed Exhibit A forms at Utility request. CCA shall also provide Utility with a list of the names, titles, and addresses for all persons or entities to which Confidential Information is disclosed in connection herewith (“Disclosure List”). This Disclosure List shall be updated by CCA on a regular basis, and will be provided to Utility once each quarter at a minimum.

## **COMMUNITY CHOICE AGGREGATOR NON-DISCLOSURE AGREEMENT**

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6. CCA shall be liable for the actions of, or any disclosure or use by, its employees or representatives contrary to this Agreement; however, such liability shall not limit or prevent any actions by Utility directly against such employees or representatives for improper disclosure and/or use. In no event shall CCA or its employees or representatives take any actions related to Confidential Information that are inconsistent with holding Confidential Information in strict confidence. CCA shall immediately notify Utility in writing if it becomes aware of the possibility of any misuse or misappropriation of the Confidential Information by CCA or any of its employees or representatives. However, nothing in this Agreement shall obligate the Utility to monitor or enforce the CCA's compliance with the terms of this Agreement.
7. CCA shall comply with the consumer protections concerning subsequent disclosure and use that are in Attachment B to CPUC Decision No. 12-08-045.
8. CCA acknowledges that disclosure or misappropriation of any Confidential Information could cause irreparable harm to Utility and/or Utility Customers, the amount of which may be difficult to assess. Accordingly, CCA hereby confirms that the Utility shall be entitled to apply to a court of competent jurisdiction or the CPUC for an injunction, specific performance or such other relief (without posting bond) as may be appropriate in the event of improper disclosure or misuse of its Confidential Information by CCA or its employees or representatives. Such right shall, however, be construed to be in addition to any other remedies available to the Utility, in law or equity.
9. In addition to all other remedies, CCA shall indemnify and hold harmless Utility, its affiliates, subsidiaries, parent company, officers, employees, or agents from and against and claims, actions, suits, liabilities, damages, losses, expenses and costs (including reasonable attorneys' fees, costs and disbursements) attributable to actions or non-actions of CCA and/or its employees and/or its representatives in connection with the use or disclosure of Confidential Information.
10. If, at any time, CCA ceases its investigation, pursuit or implementation of community choice aggregation pursuant to PU Code Section 366.2 et seq., CCA shall promptly return or destroy (with written notice to Utility itemizing the materials destroyed) all Confidential Information then in its possession at the request of Utility. Notwithstanding the foregoing, the nondisclosure obligations of this Agreement shall survive any termination of this Agreement.
11. This Agreement shall be binding on and inure to the benefit of the successors and permitted assigns of the Parties hereto. This Agreement shall not be assigned, however, without the prior written consent of the non-assigning Party, which consent



# COMMUNITY CHOICE AGGREGATOR NON-DISCLOSURE AGREEMENT

may be withheld due to the confidential nature of the information, data and materials covered.

- 12. This Agreement sets forth the entire understanding of the Parties with respect to the subject matter hereof, and supersedes all prior discussions, negotiations, understandings, communications, correspondence and representations, whether oral or written. This Agreement shall not be amended, modified or waived except by an instrument in writing, signed by both Parties, and, specifically, shall not be modified or waived by course of performance, course of dealing or usage of trade. Any waiver of a right under this Agreement shall be in writing, but no such writing shall be deemed a subsequent waiver of that right, or any other right or remedy.
- 13. This Agreement shall be interpreted and enforced in accordance with the laws of the State of California, without reference to its principles on conflicts of laws.
- 14. This Agreement shall, at all times, be subject to such changes or modifications by the CPUC as it may from time to time direct in the exercise of its jurisdiction.

**IN WITNESS WHEREOF**, the authorized representatives of the Parties have executed this Agreement as of the Effective Date.

## PACIFIC GAS AND ELECTRIC COMPANY

\_\_\_\_\_  
(Customer)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type/Print Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type/Print Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

# COMMUNITY CHOICE AGGREGATOR NON-DISCLOSURE AGREEMENT

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## EXHIBIT A NON-DISCLOSURE AGREEMENT FOR CCA EMPLOYEES OR REPRESENTATIVES

I, \_\_\_\_\_, declare under penalty of perjury that

(1) I am employed as \_\_\_\_\_ (title) at \_\_\_\_\_  
\_\_\_\_\_ (employer and address); and

(2) I have personally reviewed the attached **COMMUNITY CHOICE AGGREGATOR NON-DISCLOSURE AGREEMENT** relating to disclosure and use of Confidential Information (as defined therein) and I agree to be bound by its provisions.

Signed: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Dated: \_\_\_\_\_



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: April 12, 2016

Subject: Approval to reallocate 2 Early Head Start childcare slots

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment & Human Services Director, or designee, to reallocate 2 Early Head Start childcare slots from county operated childcare centers to contracted childcare partner programs, effective July 1, 2016.

**FISCAL IMPACT:**

None. No County match.

**BACKGROUND:**

Early Head Start is a federal program that promotes the school readiness of children ages birth through three from low-income families by enhancing their cognitive, social and emotional development. Early Head Start and Head Start programs provide a learning environment that supports children's growth in the following domains: language and literacy; cognition and general knowledge; physical development and health; social and emotional development; and approaches to learning.

Early Head Start also provides comprehensive services which include health, nutrition, social and other services determined as necessary via family needs assessments. Services are designed to be responsive to each child and family's ethnic, cultural, and linguistic heritage. Services are provided through a variety of

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: CSB (925)  
681-6304

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

By: , Deputy

cc: Jagjit Bhambra, Katharine Mason, Haydee Ilan, Cassandra Youngblood

BACKGROUND: (CONT'D)

service models including: centers or schools that children attend part or full day, family childcare homes and/or the children's own homes wherein a Head Start staff visit once per week to provide in-home services. Children who receive home-based services gather periodically with other enrolled families for group learning experiences facilitated by Head Start staff.

Contra Costa County submits an application annually to U.S. Health and Human Services Department, Administration for Children and Families as the Head Start grantee. The annual application includes newly identified goals and objectives for the program. The board approved submission of the 2016 Head Start grantee application on August 18, 2015. The total number of Early Head Start slots funded through the application is 72 slots, distributed among county operated centers and contracted partner childcare agencies. This board order seeks approval to transfer 2 of the Early Head Start childcare slots from direct county operated centers to add to the contract with childcare partner Aspiranet, effective July 1, 2016. There will be no disruption of services to enrolled children and families. The proposed change is informed by community needs assessment which identified a greater need for infant/toddler care in East Contra Costa County as opposed to Central and West Contra Costa County.

This action was approved by the Contra Costa County Head Start Policy Council on March 16, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, County will be unable to effect strategic plan to maximize childcare resources.

CHILDREN'S IMPACT STATEMENT:

The Community Services Bureau of the Employment & Human Services Department's Head Start program 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

ACF letter



Camilla Rand, M.S.  
Director



March 10, 2016

Maureen Burns-Vermette  
Head Start Program Specialist  
Administrative for Children and Families, Region IX  
90 7<sup>th</sup> Street, Ninth Floor  
San Francisco, CA 94103-6710

Dear Ms. Burns-Vermette:

This letter is to request approval for a change in scope to reallocate two (2) of our Early Head Start slots from CSB's directly operated centers to a partner Home Based program. We are reducing group size for two of our 12-18 month old classrooms from seven to six in order to increase usable classroom space at our directly operated centers. We have a community need for more EHS home visiting slots, particularly in East County where there has been a huge population growth as people move out of Richmond and into East County. Our Home Based Partner has requested additional Early Head Start slots to serve the overwhelming community need. The move of these two (2) slots to the partner Early Head Start Home Based program will ensure that the federal grant dollars are used efficiently and effectively to provide quality home visiting services to the families in the community that can benefit from additional Early Head Start services.

There will be no disruption of services to enrolled children and families. If approved, the change of scope will be implemented July 1, 2016, during peak transition time when EHS children transitions to preschool programs. By implementing the change at this natural transition time, we can ensure no child loses care.

We would like to request for a change in scope for the centers and classrooms below.

Move from directly operated:

- 1 slot from Balboa Children's Center located in Richmond – A2 Infant Room
- 1 slot from GMC Children's Center located in Concord – 7B Infant Room

Move to EHS Partner:

- 2 slots to Aspiranet Home Based Program located in Antioch

We will be presenting a request for approval of this change in scope to the Policy Council on March 16, 2016 and to the Board of Supervisors at the next available Board meeting.

As Early Head Start program providers, we remain cognizant of our obligations to remain fully enrolled at our centers. Thank you for your consideration in allowing CSB to continue to effectively work with our local childcare partners. If you need additional information or have any questions, please feel free to contact me at (925) 681-6338.



Best Regards,

Katharine Mason, Division Manager



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: April 12, 2016

Subject: Purchase Order for Software - Dell

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order with Dell Inc., in an amount not to exceed \$196,572 to purchase VMWare Horizon virtual desktop software for the Office of the Sheriff.

**FISCAL IMPACT:**

\$196,572. 100% General Fund; Budgeted

**BACKGROUND:**

Dell's VMWare Horizon is a virtual desktop software which would enable all computer processing to occur on the Office of the Sheriff Tech Services site. The physical network would run at gigabit speed as opposed to the Office of the Sheriff's mobile fleet that currently transfers data across a wireless network at cellular speeds. The virtual desktop software allows for maps and images that are very critical to first responders to be updated very quickly. This also means that there is no data stored on local

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Liz Arbuckle (925)  
335-1529

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

By: , Deputy

cc: Liz Arbuckle, Heike Anderson, Tim Ewell

BACKGROUND: (CONT'D)

computers, but rather at the Sheriff's Tech Services Data Center.

This software gives Tech Services the ability to update computers throughout the department quickly and easily, which enables maintenance of FBI and DOJ compliancy without the need to access each computer individually.

The ability to provide these resources to our officers in the field is paramount to officer and public safety, while saving costs and support time.

CONSEQUENCE OF NEGATIVE ACTION:

The Sheriff's Office will be unable to execute the purchase order with VMWare.

CHILDREN'S IMPACT STATEMENT:

No impact.



Contra  
Costa  
County

To: Board of Supervisors  
From: INTERNAL OPERATIONS COMMITTEE  
Date: April 12, 2016

Subject: 2015 Annual Report on the Fleet Internal Service Fund

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**RECOMMENDATION(S):**

ACCEPT 2014/15 annual report from the Public Works Director on the Internal Services Fund for the County's Vehicle Fleet and on low-mileage vehicles.

**FISCAL IMPACT:**

Reassigning underutilized vehicles would increase cost efficiency but the fiscal impact was not estimated.

**BACKGROUND:**

Each year, the Public Works Department Fleet Services Manager has analyzed the fleet and annual vehicle usage and made recommendations to the IOC on the budget year vehicle replacements and on the intra-County reassignment of underutilized vehicles, in accordance with County policy. In FY 2008/09, the Board approved the establishment of an Internal Services Fund (ISF) for the County Fleet, to be administered by Public Works (formerly by the General Services Department). The Board requested the IOC to review annually the Public Works department report on the fleet and on low-mileage vehicles.

Last year, the IOC requested the Auditor's Office to test the Fleet Program's compliance with County clean air policies. The Chief Auditor, in July 2015, reported that as of February 28, 2015, 18% of the fleet were clean air vehicles, 36.2% were not clean air vehicles but were exempted by the policy or by the Fleet Manager, and 45.8% were not exempt and not in compliance with the clean air vehicle policy. The Fleet Manager emphasized his commitment to downsizing the fleet and right-sizing County vehicles. The Committee asked the Fleet Manager to update the 2008 County Clean Air Vehicle Policy to also to reflect current technology such as electric and hydrogen

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Julie DiMaggio Enea  
(925) 335-1077

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

## BACKGROUND: (CONT'D)

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fuel cell vehicles, and current funding incentives, and to segregate large construction vehicles from regular trucks and sedans in future reports to make the statistical reporting more meaningful. That policy was updated, approved by the Board of Supervisors on November 17, 2015, and disseminated to County departments as County Administrative Bulletin 508.5.

Attached is the Fleet/ISF report for FY 2014/15. Following are highlights from the report:

- Only two low-mileage vehicles were identified, as compared to nine last year. Public Works will reassign or make the vehicles available through their department vehicle pool to increase utilization.
- 44 hybrid vehicles were purchased.
- Fleet Services added a mobile repair van to its array of services. The mobile repair van saves customer time in ferrying vehicles, and keeps the vehicles in service longer.
- Fleet Services continues to install GPS telematic devices in the vehicles to track engine performance, location, vehicle speed, and idling time. The devices also qualify the vehicles for the for State's continuous smog testing pilot program, making those vehicles exempt from the biennial smog testing requirement, which saves the County time and money. For those vehicles not equipped with telematic devices, Public Works is now certified to perform its own smog testing.
- 75% of the fleet staff are now ASE (Automotive Service Excellence) Blue Seal-certified, which has increased technical competency and employee morale.
- The County leverages purchasing incentives to lower the County cost for purchasing hybrid vehicles.

The Internal Operations Committee is forwarding this report for the Board's information. No action by the Board is requested.

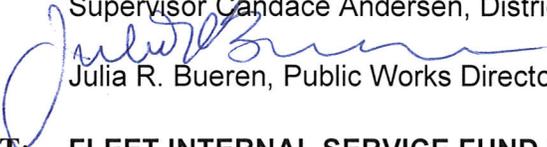
## ATTACHMENTS

2014-15 Annual Fleet/ISF Report



March 21, 2016

**TO:** Internal Operations Committee  
Supervisor John Gioia, District I, Chair  
Supervisor Candace Andersen, District II, Vice-Chair

**FROM:**  Julia R. Bueren, Public Works Director

**SUBJECT:** FLEET INTERNAL SERVICE FUND FY 2014-15 REPORT

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### **Recommendation**

Accept the Internal Service Fund (ISF) Fleet Services report for FY 2014-15.

### **Background**

The Fleet Services Division has operated as an Internal Service Fund since 2008 to ensure stable and long-term vehicle replacement funding.

Fleet Services provides various services to County departments including the acquisition, preventative maintenance, repair, and disposal of fleet vehicles and equipment. The division services the County's fleet of nearly 1600 vehicles/equipment/trailers, of which, 789 vehicles are included in the ISF program.

### **ISF Rate Structure**

There are three components to recover operational costs for vehicles in the ISF Fleet Services program which are charged to the departments. They are:

1. A fixed monthly cost to cover insurance, Fleet Services overhead, and vehicle depreciation / replacement
2. A variable cost based on miles driven to cover maintenance and repair costs
3. Direct costs for fuel

This rate structure enables the ISF to collect monthly payments from customer departments over the life-cycle of the units to fund operations and enable the systematic replacement of units at the end of a vehicle's useful life or when it becomes a cost-effective decision to do so.

The estimated fixed and variable rates are adjusted each year to develop ISF rates as close to actual costs as possible for each class of vehicle. Accordingly, the FY 2014-15 expenses were reviewed to develop new rates for FY 2015-16, which went into effect September 1, 2015. Please refer to Attachment A accompanying this report for the ISF Fleet Rates Schedule.

### **Fleet Services Goals and Objectives**

- Continue to provide cost-effective services that meet or exceed our customers' needs and expectations by evaluating additional services and new technologies to increase efficiencies.
- Continue to evaluate and recommend for replacement all vehicles and fleet equipment that are due for replacement based on a predetermined schedule and/or a time when it is most cost-effective to do so and in accordance with Administrative Bulletin 508.5. This increases vehicle availability through reduced down time associated with an older fleet.
- Continue to maintain a newer fleet focusing on preventative maintenance thus reducing repair costs typically associated with an older fleet.
- Continue to purchase clean air vehicles whenever feasible and to grow the number of electric vehicles in the fleet as existing equipment requires replacement. Fleet Services continues to seek grant funding opportunities to expand the electric vehicle charging station infrastructure to support County and personal vehicles.
- Continue to ensure that all County vehicles are maintained and repaired in a timely, safe, and cost effective manner in order to provide departments with safe, reliable vehicles and equipment.
- Continue to work with departments to identify vehicles and equipment that are underutilized in an effort to maximize fleet utilization, identify departmental actual needs, and reduce fleet costs.

### **Highlights**

- In FY 2014-15, 115 new vehicles were purchased, 29% more than FY 2013-2014, and 35% more than were purchased in FY 2013-14.
- Fleet continually reviews vehicle usage in an effort to reduce underutilized vehicles according to Administrative Bulletin 508.5. During the most recent review in March 2015, two units were identified that required further analysis for possible reclassification or reassignment which is down from nine in the previous year.
- Fleet Services continues to promote building a "Green Fleet" by purchasing 44 hybrid vehicles as replacement vehicles.
- Placed into operation a mobile service truck to provide cost effective servicing of vehicles and equipment at remote locations away from the Waterbird Fleet Service Center in Martinez such as Sheriff Office substations, Byron Airport, Brentwood Corporation Yard, etc.
- Fleet Services continues to install telematics GPS devices, where appropriate, to help improve fleet utilization, identify vehicle locations in the event of an emergency, reduce costs by identifying and immediately reporting operational issues with the vehicle, and improve accuracy of mileage meter readings. Department users of vehicles equipped with the telematics GPS devices also have access to standard reports which they can

use to review incidences of speeding, excessive idling, vehicle utilization, etc. to help reduce departmental fleet cost.

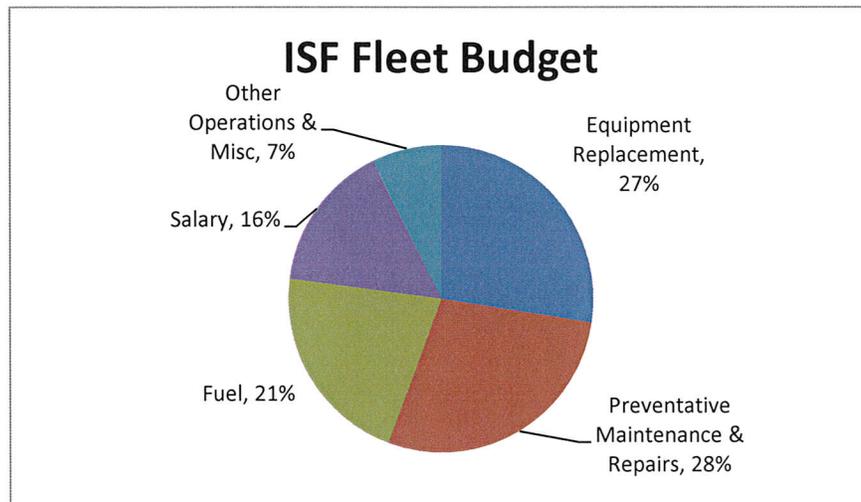
- Light vehicles equipped with the telematics GPS device are enrolled in the State Continuous Smog Testing Pilot Program excluding them from the mandatory biennial physical smog test which reduces cost and vehicle downtime. Over 450 units in the County fleet are enrolled in the program which uses the telematics device to continuously monitor emissions performance and will send a notification immediately when a fault is detected so repairs can be made.

### Summary

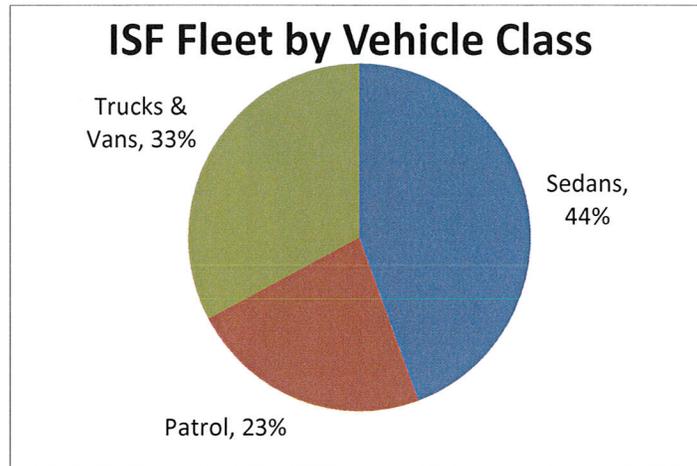
The Fleet Services Division operates as an Internal Service Fund (ISF), providing services to a variety of County Departments. As an ISF, Fleet is responsible to fully recover the cost of providing services and the cost of capital purchases. Key responsibilities of the Division are vehicle preventative maintenance and repair, fueling, replacement analysis, specification review, acquisition, new vehicle upfitting, and preparation of surplus vehicles for disposal.

In FY 2014-15, Fleet Services had a staff of 19 Administration and Operations employees. The Administration section consists of one Fleet Manager, one Fleet Equipment Specialist and one Clerk. The Operations section consists of one Lead Fleet Technician, three Equipment Services Workers, nine Equipment Mechanics, two Equipment Service Writers and one Student Worker.

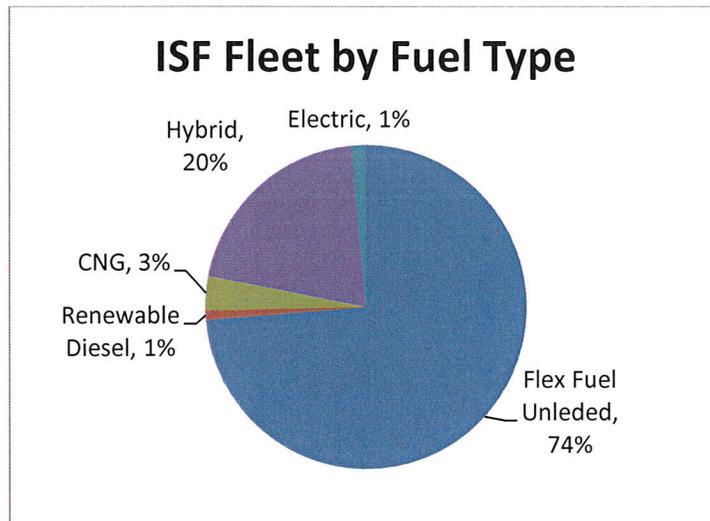
The FY 2014-15 budget of \$13,849,762 included \$2,165,719 for salaries; \$3,895,836 for vehicle repairs; \$2,976,998 for fuel; and \$3,805,156 for the replacement of fleet vehicles and equipment. The ending ISF Fund Balance for FY 2014-15 is \$11,510,328.



The ISF fleet has 789 vehicles, comprised of sedans, patrol vehicles, and trucks/vans.



Fleet Services continues to purchase clean air vehicles whenever feasible and plans to grow the number of electric vehicles in the fleet as existing equipment requires replacement. All diesel vehicles use renewable fuel and all sedans must have a PZEV rating or greater by the California Air Resources Board.



Fleet Services continues to work to achieve the primary goals and objectives of providing County departments with vehicles and equipment that are safe, efficient, reliable and consistent with departmental needs and requirements at the lowest possible cost. The Division will continue to monitor vehicle use to optimize new vehicle acquisition and better utilize existing vehicle assets.

**Attachments**

- A ISF Rates Schedule
- B ISF Fund Balance
- C ISF Net Assets

**Internal Service Fund - Fleet Services**  
**ISF Fleet Rates Schedule**  
**FY 2015-16**

Category	FY 2012-13		FY 2013-14		FY 2014-15		FY 2015-16		% Change	
	Monthly Rate	Mileage Charge								
ISF-Sedan	\$ 233.75	\$ 0.185	\$ 257.92	\$ 0.145	\$ 284.83	\$ 0.167	\$ 264.33	\$ 0.200	-7.2%	19.8%
ISF-Cargo Van	194.75	0.366	205.92	0.249	239.75	0.290	435.33	0.210	81.6%	-27.6%
ISF-Passenger Van	201.58	0.211	201.92	0.191	220.75	0.306	315.33	0.280	42.8%	-8.5%
ISF-Patrol	637.08	0.318	454.83	0.393	427.33	0.462	445.00	0.410	4.1%	-11.3%
ISF-Sports Utility Vehicle	421.83	0.247	311.33	0.294	307.42	0.272	374.50	0.200	21.8%	-26.5%
ISF-Truck, Compact	213.00	0.215	194.67	0.190	194.33	0.221	223.50	0.290	15.0%	31.2%
ISF-Truck, Fullsize	246.92	0.200	238.25	0.249	233.50	0.388	335.08	0.410	43.5%	5.7%
ISF-Truck, Utility	421.83	0.247	305.25	0.256	381.50	0.329	316.42	0.550	-17.1%	67.2%

**Internal Service Fund - Fleet Services  
Fund Balance  
For the Year Ended June 30, 2015**

	FY 2013-14	FY 2014-15
<b>Beginning Fund Balance</b>	<b>\$ 11,164,010</b>	<b>\$ 11,233,276</b>
<b>Expenses</b>		
Salaries & Benefits	\$ 1,859,583	2,202,121
Services and Supplies, Other Charges	6,815,118	6,707,489
Depreciation	1,648,815	1,915,405
<b>Total Expenses</b>	<b>\$ 10,323,516</b>	<b>\$ 10,825,015</b>
<b>Revenues</b>		
Charges for services	\$ 10,080,382	\$ 10,326,325
Transfers In/(Out)	-	131,205
Sale of Surplus Vehicles	250,932	199,283
Indemnifying Proceeds (Accidents)	61,468	445,254
<b>Total Revenue</b>	<b>\$ 10,392,782</b>	<b>\$ 11,102,067</b>
<b>Change in Fund Balance</b>	<b>\$ 69,266</b>	<b>\$ 277,052</b>
<b>FY Ending Fund Balance</b>	<b>\$ 11,233,276</b>	<b>\$ 11,510,328</b>

**Internal Service Fund - Fleet Services  
Balance Sheet (Fund 150100)  
As of June 30, 2015**

		<u>FY 2013-14</u>	<u>FY 2014-15</u>
<b>Assets</b>			
Current Assets:			
0010	Cash	\$ 3,615,370	\$ 3,692,800
0100	Accounts Receivable	12,301	3,119
0170	Inventories	345,902	331,085
0180	Due From Other Funds	1,315,002	1,120,686
0250	Prepaid Expense	31,420	10,317
	<b>Total Current Assets</b>	<u>\$ 5,319,995</u>	<u>\$ 5,158,007</u>
Noncurrent Assets:			
0340	Equipment	18,984,902	19,916,589
0360	Construction In Progress	1,386,351	1,736,583
0370	Reserve For Depreciation	(13,174,410)	(13,793,923)
	<b>Total Noncurrent Assets</b>	<u>\$ 7,196,843</u>	<u>\$ 7,859,250</u>
	<b>Total Assets</b>	<u><b>\$ 12,516,838</b></u>	<u><b>\$ 13,017,257</b></u>
<b>Liabilities</b>			
0500	Accounts Payable	\$ 379,201	\$ 834,879
0540	Due To Other Funds	832,682	592,431
0640	Employee Fringe Benefit Pay	71,680	79,618
	<b>Total Liabilities</b>	<u><b>\$ 1,283,563</b></u>	<u><b>\$ 1,506,928</b></u>
<b>Net Position</b>			
	Capital Assets, Net of Debt	\$ 7,196,843	\$ 7,859,250
	Working Capital (Current Assets Net Current Liabilities)	4,036,432	3,651,079
	<b>Total Net Position</b>	<u><b>\$ 11,233,275</b></u>	<u><b>\$ 11,510,328</b></u>



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: April 12, 2016

Subject: Multifamily Housing Revenue Bonds - Miraflores Senior Apartments, Richmond

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**RECOMMENDATION(S):**

ADOPT Resolution No. 2016/157:

1. Approving the issuance of Multifamily Housing Revenue Bonds (the "Bonds") by the California Municipal Finance Authority (CMFA) in an amount not to exceed \$30,000,000 for the benefit of Miraflores Senior L.P., a California limited partnership, or another partnership or other entity created by Community Housing Development Corporation of North Richmond or Eden Housing Inc., or one or more affiliates thereof (collectively, the "Borrower"), to provide for the financing of the acquisition, rehabilitation, improvement and equipping of an 80-unit multifamily housing development commonly known as Miraflores Senior Apartments located at northeast corner of South 45th Street and Florida Avenue, in the City of Richmond. Such adoption is solely for the purposes of satisfying the requirements of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), the Code and the California Government Code Section 6500 (and following).
2. Authorizing and directing the executing officers, the Clerk of the Board and all other proper officers and officials of the County to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to effect the purposes of the Resolution and the transactions authorized.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Kristen Lackey (925)  
674-7888

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

>

FISCAL IMPACT:

No impact to the General Fund. The County will be reimbursed for any costs incurred in the process of conducting the TEFRA Hearing. The CMFA will issue tax-exempt revenue bonds on behalf of the Borrower. Repayment of the bonds is solely the responsibility of the Borrower.

BACKGROUND:

Miraflores Senior, L.P., with the City of Richmond's support, requested the County to conduct a Tax Equity and Fiscal Equity Responsibility Act of 1982 (TEFRA) hearing for the California Municipal Finance Authority (CMFA) issuance of Multifamily Housing Revenue Bonds in an amount not to exceed \$30,000,000 to be used to finance the acquisition, development and construction of an 80-unit multifamily rental housing development commonly known as Miraflores Senior Apartments located at the corner of South 45th Street and Florida Avenue, in the City of Richmond, California (the "Project"). A TEFRA hearing must be held by an elected body of the governmental entity having jurisdiction over the area where the project is located in order for all or a portion of the Bonds to qualify as tax-exempt bonds for the financing of the Project. The County is a member of the CMFA and qualifies as an elected body of the governmental entity having jurisdiction over the area where the project is located.

The main purposes of the proposed Resolution are to acknowledge that a public hearing was held by the County's Community Development Bond Program Manager on March 28, 2016, where members of the community were given an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the Project and to approve of CMFA's use of tax-exempt bonds for the financing of the project. No public comments were received. A notice of the hearing was published in the Contra Costa Times (proof of publication attached) on March 14, 2016.

The County's only role in this transaction was to hold the TEFRA hearing and to grant the limited approval described above. Additional actions related to the bond issuance will be the responsibility of CMFA and the Borrower.

CONSEQUENCE OF NEGATIVE ACTION:

Negative action would prevent CMFA from providing tax-exempt financing for the Miraflores Senior Apartments project in Richmond.

ATTACHMENTS

Resolution No. 2016/157

Miraflores TEFRA Proof of Publication

Miraflores TEFRA Hearing 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 04/12/2016 by the following vote:

**AYE:**

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2016/157**

**IN THE MATTER OF APPROVING THE ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF AN 80-UNIT MULTIFAMILY RENTAL HOUSING FACILITY FOR THE BENEFIT OF COMMUNITY HOUSING DEVELOPMENT CORPORATION OF NORTH RICHMOND AND EDEN HOUSING, INC., OR ONE OR MORE AFFILIATES THEREOF**

**WHEREAS**, pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (the "Act"), certain public agencies (the "Members") have entered into a Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, dated as of January 1, 2004 (the "Agreement") in order to form the California Municipal Finance Authority (the "Authority"), for the purpose of promoting economic, cultural and community development, and in order to exercise any powers common to the Members, including the issuance of bonds, notes or other evidences of indebtedness; and

**WHEREAS**, the County of Contra Costa (the "County") is a Member of the Authority; and

**WHEREAS**, the Authority is authorized to issue and sell revenue bonds for the purpose, among others, of financing or refinancing the construction of capital projects, including multifamily rental housing facilities; and

**WHEREAS**, Miraflores Senior, L.P., a California limited partnership, or another partnership or other entity created by Community Housing Development Corporation of North Richmond or Eden Housing, Inc., or one or more affiliates thereof (collectively, the "Borrower"), has requested that the Authority participate in the issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$30,000,000 (the "Bonds"); and

**WHEREAS**, the proceeds of the Bonds will be used to finance the acquisition, construction, improvement and equipping of an 80-unit multifamily rental housing facility (the "Project") to be owned and operated by the Borrower and located in the County of Contra Costa (the "County") at the corner of South 45th Street and Florida Avenue, Richmond, California, and to pay certain expenses incurred in connection with the issuance of the Bonds; and

**WHEREAS**, in order for the interest on the Bonds to be tax-exempt, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that an "applicable elected representative" of the governmental unit, the geographic jurisdiction of which contains the site of facilities to be financed with the proceeds of the Bonds, hold a public hearing on the issuance of the Bonds and approve the issuance of the Bonds following such hearing; and

**WHEREAS**, the Authority has determined that the Board of Supervisors of the County (the "Board of Supervisors") is an "applicable elected representative" for purposes of holding such hearing; and

**WHEREAS**, the Authority has requested that the Board of Supervisors approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Agreement; and

**WHEREAS**, notice of such public hearing has been duly given as required by the Code, and this Board of Supervisors has heretofore held such public hearing at which all interested persons were given an opportunity to be heard on all matters relative to the financing of the Project and the Authority's issuance of the Bonds therefor; and

**WHEREAS**, it is in the public interest and for the public benefit that the Board of Supervisors approve the issuance of the Bonds by the Authority for the aforesaid purposes;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS, AS FOLLOWS:**

Section 1. The foregoing recitals are true and correct.

Section 2. The Board of Supervisors hereby approves the issuance of the Bonds by the Authority. It is the purpose and intent of the Board of Supervisors that this resolution constitute approval of the issuance of the Bonds (a) by the “applicable elected representative” of the governmental unit having jurisdiction over the area in which the Project is located in accordance with Section 147(f) of the Code and (b) by the Board of Supervisors in accordance with Section 4 of the Agreement.

Section 3. The issuance of the Bonds shall be subject to the approval of the Authority of all financing documents relating thereto to which the Authority is a party. The Board of Supervisors shall have no responsibility or liability whatsoever with respect to the Bonds.

Section 4. The adoption of this Resolution shall not obligate the Board of Supervisors or any department thereof to (i) provide any financing to acquire or construct the Project or any refinancing of the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, construction, improvement, equipping or operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.

Section 5. The executing officers, the Clerk of the Board and all other proper officers and officials of the County are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to effect the purposes of this Resolution and the transactions herein authorized.

Section 6. The Clerk of the Board shall forward a certified copy of this Resolution to the Authority in care of its counsel: Ronald E. Lee, Esq. Jones Hall, APLC 475 Sansome Street, Suite 1700 San Francisco, CA 94111

Section 7. This resolution shall take effect immediately upon its passage.

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

**ATTESTED: April 12, 2016**

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

**Contact: Kristen Lackey (925) 674-7888**

By: , Deputy

**cc:**

**Contra Costa Times**

175 Lennon Lane, Suite 200  
Walnut Creek, CA 94598  
925-943-8019

2003193

CALIF. NEWSPAPER SVC.  
BILLING DEPT.  
PO BOX 60460  
LOS ANGELES, CA 90060

**PROOF OF PUBLICATION**

**FILE NO. 2856234**

In the matter of

**Contra Costa Times**

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Contra Costa Times, a newspaper published in the English language in the City of Walnut Creek, County of Contra Costa, State of California.

I declare that the Contra Costa Times is a newspaper of general circulation as defined by the laws of the State of California as determined by court decree dated October 22, 1934, Case Number 19764. Said decree states that the Contra Costa Times is adjudged to be a newspaper of general circulation for the City of Walnut Creek, County of Contra Costa and State of California. Said order has not been revoked.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

03/14/2016

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.  
On this 14th day of March, 2016.

Signature

Legal No.

0005688675

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on March 28, 2016, a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 will be held with respect to the proposed issuance by the California Municipal Finance Authority of its revenue bonds in one or more series in an amount not to exceed \$30,000,000 (the "Bonds"). The proceeds of the Bonds will be used to (1) finance the acquisition, construction, improvement and equipping of an 80-unit multifamily rental housing facility located in the County of Contra Costa (the "County") at the northeast corner of South 45th Street and Florida Avenue, Richmond, California, known as Miraflores Senior Apartments (the "Project"); and (2) pay certain expenses incurred in connection with the issuance of the Bonds. The facilities are to be owned and operated by Miraflores Senior, L.P., a California limited partnership, or another partnership or other entity created by Community Housing Development Corporation of North Richmond or Eden Housing, Inc. or one or more affiliates thereof (collectively, the "Borrower"). The Bonds and the obligation to pay principal of and interest thereon and any redemption premium with respect thereto do not constitute indebtedness or an obligation of the County, the Authority, the State of California or any political subdivision thereof, within the meaning of any constitutional or statutory debt limitation, or a charge against the general credit or taxing powers of any of them. The Bonds shall be a limited obligation of the Authority, payable solely from certain revenues duly pledged therefor and generally representing amounts paid by the Borrower. The hearing will commence at 8:30 a.m. or as soon thereafter as the matter can be heard, and will be held in the Contra Costa County Department of Conservation and Development, 30 Muir Road, Martinez, California. Interested persons wishing to express their views on the issuance of the

Bonds or on the nature and location of the facilities proposed to be financed may attend the public hearing or, prior to the time of the hearing, submit written comments.

Additional information concerning the above matter may be obtained from, and written comments should be addressed to, Kristen Lackey, Community Development Bond Program Manager, Contra Costa County Department of Conservation and Development, 30 Mulr Road, Martinez, CA 94553.

Dated: March 14, 2016  
3/14/16

CNS-2856234#  
CONTRA COSTA TIMES  
CCT 5688675  
Mar. 14, 2016

**TRANSCRIPT FOR THE TEFRA HEARING**

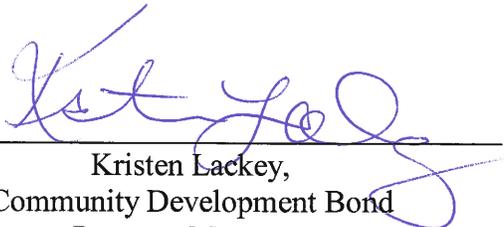
**March 28, 2016      8:30 a.m.**

This noticed public hearing is required by the federal Tax Equity and Fiscal Responsibility Act (TEFRA), Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"). The hearing is on the proposed issuance by the California Municipal Finance Authority of its 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, construction, and improvement of a multifamily housing residential facility generally known as Miraflores Senior Apartments by Miraflores Senior, L.P., a California limited partnership, or another partnership or other entity created by Community Housing Development Corporation of North Richmond or Eden Housing Inc., or one or more affiliates thereof. Miraflores is an 80 unit multifamily housing residential facility located at the northeast corner of South 45<sup>th</sup> Street and Florida Avenue in the City of Richmond, California.

TEFRA requires that a public hearing be held by a governing body of the jurisdiction in which a project to be financed is located, and that the governing body approve the proposed financing solely for the purposes of satisfying the requirements of TEFRA, the Code, and the California Government Code Section 6500. Miraflores is within the jurisdiction of the County of Contra Costa. The Contra Costa County Board of Supervisors may consider adoption of a resolution approving the issuance of the bonds on April 12, 2016. Any comments provided at this hearing will be made available to the Board of Supervisors prior to their taking action on April 12<sup>th</sup> 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: 8:30 am  
Speakers present: 0  
Closed hearing: 8:47 am

By:   
Kristen Lackey,  
Community Development Bond  
Program Manager,  
County of Contra Costa

Date: March 28, 2016



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: April 12, 2016

Subject: 2015 Annual Housing Element Progress Report

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**RECOMMENDATION(S):**

ACCEPT the 2015 Annual Housing Element Progress Report, in accordance with Government Code Section 65400.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Housing Element is one of seven mandatory elements that every jurisdiction must include in its General Plan. State law mandates that all local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The Association of Bay Area Governments allocates the Bay Area regional housing need to all the cities and counties in the Bay Area. Pursuant to Government Code Section 65400, the County is required to submit an annual report to the State Department of Housing and Community Development and the State Office of Planning and Research by April 1 of each year. Jurisdictions are also required to submit the annual report to their legislative bodies for review and comment. Attached to this Board Order is the County's 2015 Annual Housing Element Progress Report.

The County's Housing Element (Fifth Cycle) covers the planning period from 2015 to 2023 and plans for the provision of 1,367 units of housing in the unincorporated County.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Christine Louie, (925)  
674-7787

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

This is the first report for the Fifth Cycle Housing Element.

In 2015, the County issued 330 building permits for single family housing, 13 permits were issued for attached second units, 2 permits for duplexes, and 2 permits for mobile homes. No permits were issued for multi-family housing. To date, the County has issued building permits for 349 units, or 25 percent of the County's current planning period allocation.

The County continues to implement 31 housing related programs, including programs designed to remove governmental constraints to maintaining, improving, and developing housing. A summary of the programs and recent accomplishments are included as Table C in the attached report.

CONSEQUENCE OF NEGATIVE ACTION:

There is no consequence of a negative action. The County is required to provide the annual Housing Element Progress Report to the Board of Supervisors in a public meeting to allow the public an opportunity to review and comment on the report.

ATTACHMENTS

2015 Housing Element Report

# **ANNUAL ELEMENT PROGRESS REPORT**

## ***Housing Element Implementation***

(CCR Title 25 §6202 )

**Jurisdiction**            CONTRA COSTA COUNTY  
**Reporting Period**    01/01/2015       -    12/31/2015

**Pursuant to GC 65400 local governments must provide by April 1 of each year the annual report for the previous calendar year to the legislative body, the Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD). By checking the “Final” button and clicking the “Submit” button, you have submitted the housing portion of your annual report to HCD only. Once finalized, the report will no longer be available for editing.**

**The report must be printed and submitted along with your general plan report directly to OPR at the address listed below:**

**Governor’s Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044**

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2015 - 12/31/2015

**Table A**

### Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information									Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income			See Instructions	See Instructions	
Muir Ridge, Martinez area	SF	Owner	0	8	4	0	12	0	Housing Investment Partnership Program		
<b>(9) Total of Moderate and Above Moderate from Table A3</b>					65	276					
(10) Total by Income Table A/A3			0	8	65	276					
<b>(11) Total Extremely Low-Income Units</b> * Note: These fields are voluntary			0								

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**            CONTRA COSTA COUNTY

**Reporting Period**    01/01/2015    -    12/31/2015

**Table A2**

### Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

\* Note: This field is voluntary

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**      CONTRA COSTA COUNTY

**Reporting Period**      01/01/2015      -      12/31/2015

**Table A3**  
**Annual building Activity Report Summary for Above Moderate-Income Units**  
**(not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for <b>Moderate</b>	46	2	0	13	0	61	0
No. of Units Permitted for <b>Above Moderate</b>	272	2	0	0	2	276	0

\* Note: This field is voluntary

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**            CONTRA COSTA COUNTY

**Reporting Period**    01/01/2015       -    12/31/2015

**Table B**

**Regional Housing Needs Allocation Progress**

**Permitted Units Issued by Affordability**

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.												Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9			
Very Low	Deed Restricted	374	0	0	0	0	0	0	0	0	0	0	374
	Non-Restricted		0	0	0	0	0	0	0	0	0		
Low	Deed Restricted	218	0	0	0	0	0	0	0	0	0	8	210
	Non-Restricted		8	0	0	0	0	0	0	0	0		
Moderate		243	65	0	0	0	0	0	0	0	0	65	178
Above Moderate		532	276	0	0	0	0	0	0	0	-	276	256
Total RHNA by COG. Enter allocation number:		1367	349	0	0	0	0	0	0	0	0	349	1018
Total Units    ▶    ▶    ▶													
Remaining Need for RHNA Period    ▶    ▶    ▶    ▶    ▶													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction**            CONTRA COSTA COUNTY

**Reporting Period**    01/01/2015        -    12/31/2015

**Table C**

### Program Implementation Status

Program Description (By Housing Element Program Names)	<b>Housing Programs Progress Report - Government Code Section 65583.</b> Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
New Construction of Affordable Housing	Increase the supply of affordable housing, including units affordable to extremely low income households.	Annual: Award HOME, CDBG, and HOPWA funds to experienced housing developers	There were no projects in this reporting period within the unincorporated County. The County provided \$7 million in funding recommendations for HOME, HOPWA, and CDBG to support the development of 206 new rental units in the cities of Antioch, El Cerrito, and Walnut Creek.
Housing Successor to the former Redevelopment Agency	Utilize County owned property (former redevelopment agency) to develop affordable housing.	Disposition agreements by 2020	There were no agreements made or projects in this reporting period.
Inclusionary Housing	Integrate affordable housing within market-rate developments.	Ongoing	In-lieu fees were collected for development within the Arbor View Estates Subdivision and Westborough Condominium Subdivision. The total fees collected was \$130,913.58.
Acquisition/Rehabilitation	Improve existing housing and increase supply of affordable housing.	Ongoing	There were no projects in this reporting period within the unincorporated County.

Second Units	Facilitate the development of second units.	Ongoing	There were 13 building permits issued for second units.
Affordability by Design	Develop affordability by design program to promote creative solutions to building design and construction.	2017	There is nothing to report for this reporting period.
New Initiatives Program	Develop new programs or policies to fund or incentivize affordable housing development.	2017	There is nothing to report for this reporting period.
Special Needs Housing	Increase the supply of special needs housing.	Ongoing	The project on Fred Jackson Way in North Richmond added two units of very low income rental housing for women leaving prison with \$245,250 of NSP1 funds.
Developmental Disabled Housing	Increase the supply of housing available to persons with developmental disabilities.	Ongoing	There were none this reporting period in the unincorporated County.
Accessible Housing	Increase the supply of accessible housing.	Ongoing	There were no new construction projects in this reporting period in the unincorporated County. There were three projects that the County provided funding in the cities of Antioch, El Cerrito, and Walnut Creek that included a total of 8 fully accessible units, 6 physically disabled units, and 2 vision/hearing impaired units.
Reasonable Accommodation	Increase the supply of special needs and accessible housing.	Ongoing	Translation services were provided to an extremely low NPP client.
Council on Homelessness, formerly known as, Contra Costa Interagency Council on Homelessness	Meet the housing & supportive services needs of the homeless.	Ongoing	They continue to support the development of permanent supportive housing.
Farmworker Housing	Increase the supply of farmworker housing.	Annually: Include farmworker housing in CDBG, HOME NOFA	There were none built this reporting period.
First-Time Homebuyer Opportunities	Provide additional homeownership opportunities.	Ongoing	Permits were issued for 12 Muir Ridge homes. The County also provided 55 Mortgage Credit Certificates throughout the county and cities.
Extremely Low Income Housing	Promote development of housing affordable to extremely low income households.	Annually: Prioritize x-low income housing in funding recommendati	The County continues to provide funding preferences to developers who include units that are affordable to extremely-low income households. There were a total of 187 extremely low income housing projects during this reporting period (See Neighborhood Preservation Program and Weatherization Program).

		ons	
Sites Inventory	Provide for adequate housing sites, including "as-right development" sites for homeless facilities.	Ongoing maintenance of site inventory.	There are no changes or updates for this reporting period.
Mixed-Use Developments	Encourage mixed-use developments.	2015/2016: Review existing ordinance and development patterns.	A 44-unit very low income affordable mixed-use project in North Richmond (Heritage Point) was approved.
Density Bonus & Other Development Incentives	Support affordable housing development.	Ongoing	The Driftwood residential project in Bay Point will include six affordable units with three new units on-site and three rehabilitated single-family residences off-site.
Infill Development	Facilitate infill development.	Biennially: Review site inventory, adjust for planned and completed developments	The County continues to use the Small Lot Review process to assist applicants in developing infill single-family residences on substandard-size lots.
Planned Unit District	Provide flexibility in design for residential projects.	Ongoing	A 14-unit residential subdivision and Planned Unit District was approved.
Development Fees	Reduce the cost of development.	Ongoing	There are no updates to report during this period.
Quick Turn-around Program	Develop program to expedite review of small projects, and conditions of approval.	2015	There have been three expedited review projects processed.
Review of Zoning & Subdivision Ordinance	Periodically review subdivision ordinance to ensure it does not unduly constrain housing development. Revise zoning code to allow emergency shelters by right, single room occupancy housing, transitional and permanent supportive housing, and agricultural worker housing.	Ongoing: period review of zoning and subdivision ordinances	There are no updates to report during this period. The agricultural worker housing, permanent supportive housing, and transitional housing draft zoning ordinance is expected in 2016.
Coordinated County Department Review of Development Applications	Expedite application review through a better coordinated process with other County departments.	Ongoing	The County strives to coordinate and reach-out to other County departments and agencies when processing new applications.

Anti-Discrimination Program	Promote fair housing.	Complete update to the AI after promulgation of new regulations	There are no updates to report this period. The AI as adopted by the Board of Supervisors on 5/25/2010 with a major effort to update the AI initiated in late 2015.
Residential Displacement Program	Limit number of households being displaced or relocated because of County sponsored programs or projects.	Ongoing	There are no updates to report this period.
Residential Energy Conservation Program	Participate in Bay Area regional efforts to reduce energy consumption.	2015: Review examples of guidelines for solar retrofit	A tutorial and checklist for residential solar retrofit building permit applications was established and posted on-line under the Building Inspection Division's e-permit web page.
Neighborhood Preservation Program	Improve the quality of existing housing & neighborhoods.	Ongoing	There were 16 homes within the county that were rehabilitated. 6 low income, 4 very low income, and 6 extremely low income.
Weatherization Program	Assist homeowners and renters with minor home repairs.	Ongoing	305 units have been weatherized in County cities, towns, and communities. 181 units were extremely low income, 84 units were very low income, and 30 units were low income.
Code Enforcement	Maintain & improve the quality of existing housing & neighborhoods.	Ongoing	There were a total of 1128 cases opened with 1059 cases closed. Approximately 85-90% of all cases were residential.
Preservation of Affordable Housing Assisted with Public Funds	Preserve the existing stock of affordable housing.	Ongoing	There were no projects that involved the preservation of affordable housing in the unincorporated County. The County issued \$12.5 million in bonds to the cities of Oakley and Walnut Creek for a total of 85 units.

**ANNUAL ELEMENT PROGRESS REPORT**

***Housing Element Implementation***

(CCR Title 25 §6202 )

**Jurisdiction**      CONTRA COSTA COUNTY

**Reporting Period**      01/01/2015      -      12/31/2015

**General Comments:**



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: April 12, 2016

Subject: Continue Extension of Emergency Declaration Regarding Homelessness

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**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

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Enid Mendoza, (925)  
335-1039

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

the Board to continue the declaration of a local emergency regarding homelessness.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: April 12, 2016

Subject: Family Medicine Residency Program Funding

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**RECOMMENDATION(S):**

AUTHORIZE the Auditor-Controller to issue a one-time payment in the amount of \$15,000 to the Contra Costa Family Medicine Residency Program.

**FISCAL IMPACT:**

100% funding is available from the Song-Brown Family Physician Training Program grant funds.

**BACKGROUND:**

Since 1975 the County has sponsored a nationally-recognized Family Medicine Residency Training Program which currently ranks in the top 10 of 490 such programs in the country (Doximity). Of the over 400 physicians who have trained in our program, fully one-third practiced or currently practice in Contra Costa County either with Contra Costa Health Services or in the local community.

To meet the increasing demands of healthcare and remain competitive within our local community, the program has evolved and expanded significantly in size; expectations and costs have increased accordingly. Expected/required aspects of training which require outside facilities or support include but are not limited to the following:

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **04/12/2016**  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: April 12, 2016

Contact: Samir Shah, M.D. (925)  
370-5475

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

By: , Deputy

cc: Samir Shah, MD, Tasha Scott, Marcy Wilhelm

BACKGROUND: (CONT'D)

a two-day annual all residency educational retreat off-site with associated expenses for accommodations and food;

- annual residency graduation dinner to recognize the achievements of the graduating physicians, teaching faculty and support staff;
- semi-annual one day residency faculty educational retreats, off-site;
- annual recruitment and interview season events for 150 residency applicants;
- annual new resident orientation events, including a two-day ultrasound training course for all entering residents;
- semi-annual training course for Advanced Life Support in Obstetrics (ALSO) for all first-year residents; and
- development of a prestigious family medicine point-of-care ultrasound (POCUS) curriculum, one of only a handful in the nation.

The \$15,000 amount will be provided by CCHP community benefits funds to support the costs of the training program events.

CONSEQUENCE OF NEGATIVE ACTION:

The Family Medicine Residency Program may not be able to provide specialized, required training to Residents.

CHILDREN'S IMPACT STATEMENT:

No impact.