

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**  
**September 27, 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. *Retiree Support Group of Contra Costa County v. Contra Costa County*, U.S. District Court, Northern District of California, Case No. C12-00944 JST

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

Inspirational Thought- "There are a whole lot of things in this world of ours you haven't started wondering about yet." ~ Roald Dahl

**CONSIDER CONSENT ITEMS** (Items listed as C.1 through C.66 on the following agenda) – Items are subject to removal from Consent Calendar by request of any Supervisor or on request for discussion by a member of the public. **Items removed from the Consent Calendar will be considered with the Discussion Items.**

## **PRESENTATIONS (5 Minutes Each)**

- PR.1** PRESENTATION recognizing Poll Worker Appreciation Week in Contra Costa County. (Supervisor Andersen)
- PR.2** PRESENTATION recognizing September as Anti-Hazing Awareness, and throughout the year in Contra Costa County. (Supervisor Andersen)
- PR.3** PRESENTATION honoring Joseph Jackson for serving as Chair of the Youth Council in the City of Richmond. (Supervisor Gioia)
- PR.4** PRESENTATION honoring County employees for their many years of service to Contra Costa County:
  - **Maria Ferrer**, 25 years of service, to be presented by Sherry Martija, Health Services Finance Division.

## **DISCUSSION ITEMS**

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

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

- D.3** CONSIDER accepting report from the Health Services Department on the implementation of Laura's Law (Assisted Outpatient Treatment Program) in Contra Costa County, as recommended by the Family and Human Services Committee. (Warren Hayes, Mental Health Program Manager)
- D.4** HEARING to consider adoption of Ordinance No. 2016-12 and Resolution No. 2016/543, to adjust transportation mitigation fees for the Bethel Island Area of Benefit, reestablish the boundaries of that area of benefit, and make related California Environmental Quality Act findings, Bethel Island area. (No fiscal impact) (Mary Halle, Public Works Department)



- D.5** HEARING to consider adoption of Ordinance No. 2016-18 and Resolution No. 2016/545, to adjust transportation mitigation fees for the Bay Point Area of Benefit, and reestablish the boundaries of that area of benefit, and make related California Quality Environmental Act findings, Bay Point area. (No fiscal impact) (Mary Halle, Public Works Department)
- D.6** CONSIDER adopting Resolution No. 2016/539 abolishing outstanding performance pay steps for the classification of Director of Human Resources - Exempt, effective October 17, 2016; and CONSIDER appointing Dianne Dinsmore to the position of Director of Human Resources - Exempt at Step 3 of the salary range, effective October 17, 2016. (David Twa, County Administrator)
- D.7** CONSIDER adopting Resolution No. 2016/522 adopting the FY 2016-17 Adopted Budget as finally determined, as recommended by the County Administrator. (David Twa, County Administrator)

D. 8 CONSIDER reports of Board members.

**Closed Session**

***ADJOURN***

**CONSENT ITEMS**

**Engineering Services**

- C. 1** ADOPT Resolution No. 2016/546 approving the seventh extension of the Subdivision Agreement for subdivision SD06-09131, for a project being developed by Jasraj Sing & Tomas Baluyut, as recommended by the Public Works Director, Bay Point area. (No fiscal impact)

**Special Districts & County Airports**

- C. 2** ADOPT the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Three Creeks Parkway Restoration Project and related findings under the California Environmental Quality Act, as recommended by the Public Works Director, Brentwood area. (50% Flood Control Zone 1 Funds; 50% Private Funding)
- C. 3** AWARD and AUTHORIZE the Public Works Director, or designee, to execute a construction contract with McNabb Construction, Inc., in the amount of \$218,481 for the Slifer Park Improvements – Shade Structures, Discovery Bay area. (100% Countywide Landscape District (LL-2) Zone 61 Funds)

- C. 4 ADOPT Resolution No. 2016/547 declaring October 2016 as Creek and Channel Safety Awareness Month, ACCEPT the status report from the Public Works Department and the Flood Control & Water Conservation District on the Creek and Channel Safety Awareness Program, and DIRECT the Public Works Department and the Flood Control & Water Conservation District to continue with implementation and the annual campaign of a Countywide sustainable Creek and Channel Safety Awareness Program, as recommended by the Chief Engineer, Flood Control and Water Conservation District, Countywide. (100% Flood Control Zone 3B Funds)

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

- C. 5 RECEIVE report concerning the final settlement of Debra Fernandez vs. Contra Costa County; and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed \$190,000, less permanent disability advances, as recommended by the Risk Manager.
- C. 6 DENY claims filed by Enterprise Damage Recovery Unit, Robin McCloud, Zoila Quiroz, and Sergio Rimoldi. DENY late claims filed by Diana Lee Byrns and Edward Haney.

### **Honors & Proclamations**

- C. 7 ADOPT Resolution No. 2016/513 honoring the service of Joseph Jackson, who has served for two years, ending August 30, 2016, as Chair of the Youth Council in the City of Richmond, as recommended by Supervisor Gioia.
- C. 8 ADOPT Resolution No. 2016/518 recognizing Poll Worker Appreciation Week in Contra Costa County, as recommended by Supervisor Andersen.
- C. 9 ADOPT Resolution No. 2016/521 recognizing September as Anti-Hazing Awareness, and throughout the year in Contra Costa County, as recommended by Supervisor Andersen.
- C. 10 ADOPT Resolution No. 2016/549 recognizing Maria Ferrer for 25 years of service as recommended by the Health Services Director.

### **Appointments & Resignations**

- C. 11 APPOINT Beth Mora to the At-Large #11 seat and Lanita Mims to the At-Large #12 seat on the Contra Costa Commission for Women, as recommended by the Family and Human Services Committee.

## **Appropriation Adjustments**

- C. 12** Employment & Human Services (0501, 0502, 0503, 0581, 0586): APPROVE Appropriation and Revenue Adjustment #5006 authorizing a decrease of \$2,261,436 in temporary salaries and professional services and an increase of \$4,319,273 in new revenues from the State of California, and Edward Byrne Memorial Justice Assistance, and appropriating it to personnel expenses in the Employment and Human Services Department.
- C. 13** CSA P-6 Discovery Bay (7629)/Sheriff's Office (0255): APPROVE Appropriations and Revenue Adjustment No. 5010 authorizing new revenue in the amount of \$15,000 from County Service Area P-6 Discovery Bay Zone funding and appropriating it for the Resisting Aggression Defensively Kids (radKIDS) Program implemented by the Sheriff's Office - Investigation Unit. (100% CSA P-6 Discovery Bay Zone funds)

## **Personnel Actions**

- C. 14** ADOPT Position Adjustment Resolution No. 21909 to add four Animal Center Technician (represented) positions, cancel three Animal Services Utility Worker (represented) positions and cancel one Special Services Worker II (represented) position in the Animal Services Department. (32% User Fees, 31% City Revenues, 37% County)
- C. 15** ADOPT Position Adjustment Resolution No. 21960 to add nine positions and cancel nine vacant positions in the Information Technology Division of the Health Services Department.  
(100 % Hospital Enterprise Fund I)
- C. 16** ADOPT Position Adjustment Resolution No. 21928 to add nineteen Social Worker III (represented) positions, Position Adjustment Resolution No. 21929 to add fourteen Social Casework Assistant (represented) positions, and Position Adjustment Resolution No. 21930 to add two Children's Services Clerical Specialist (represented) positions in the Employment and Human Services Department. (42% Federal, 57.6% State, 0.4% County)
- C. 17** ADOPT Position Adjustment Resolution No. 21936 to add one Employment and Human Services Division Manager-Project (represented) position and Position Adjustment Resolution No. 21937 to add one Administrative Services Assistant II-Project (represented) position in the Employment and Human Services Department. (83% Federal, 17% State)
- C. 18** ADOPT Position Adjustment Resolution No. 21962 to add two full-time Clerk - Experienced Level positions (represented) in the Health Services Department.  
(100% Health care premiums)

- C. 19** ADOPT Position Adjustment Resolution No. 21939 to add three Social Worker (represented) positions and Position Adjustment Resolution No. 21942 to add one Clerk – Experienced Level (represented) and one Account Clerk Experienced Level (represented) positions in the Employment and Human Services Department. (52% Federal, 43% State, 5% County)
- C. 20** ADOPT Position Adjustment Resolution No. 21963 to add one Pre-Hospital Care Coordinator position (represented) and cancel one vacant Emergency Medical Services Program Coordinator position (represented) in the Health Services Department. (Measure H funds)
- C. 21** ADOPT Position Adjustment Resolution No. 21964 to add one Clerk- Specialist Level position (represented) in the Health Services Department. (100% Mental Health Realignment)
- C. 22** ADOPT Position Adjustment Resolution No. 21965 to add one Clerk- Experienced Level position (represented) in the Health Services Department. (100% Third party funding)
- C. 23** ADOPT Position Adjustment Resolution No. 21958 to add one part time (20/40) Mental Health Community Support Worker I position (represented) in the Health Services Department. (100% Mental Health Services Act)
- C. 24** ADOPT Position Adjustment Resolution No.21961 to establish the class of Student Intern, Level I (unrepresented), Student Intern, Level II (unrepresented); Student Intern, Level III (unrepresented), Student Intern, Level IV (unrepresented), and Student Intern, Level V (unrepresented) and allocate on the Salary Schedule; and abolish the classifications (unrepresented) of Student Worker - Deep Class (999E), Administrative Intern – Deep Class (AP9A) and Library Student Assistant – Exempt (3KW2) (No Fiscal Impact)
- C. 25** ADOPT Position Adjustment Resolution No. 21948 to add three Accounting Technician (represented) positions, and cancel one Clerical Supervisor (represented) position, one Account Clerk- Advanced Level (represented) position and two Account Clerk–Experienced Level (represented) positions in the Sheriff's Office - Fiscal Unit. (Cost savings)

### **Grants & Contracts**

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

- C. 26** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Pittsburg Unified School District, to pay the County an amount not to exceed \$4,000 to provide the Public Health Clinic Services Scoliosis Screening Project for the District's 7th and 8th grade students for the period September 1, 2016 through August 31, 2017. (No County match)
- C. 27** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the Antioch Unified School District, to pay the County an amount not to exceed \$18,000 to provide the Public Health Clinic Services Scoliosis Screening Project for the District's 7th and 8th grade students for the period September 1, 2016 through August 31, 2019. (No County match)
- C. 28** APPROVE and AUTHORIZE the Health Services Director, or designee, to submit and accept a grant application in an amount not to exceed \$18,000 from the National Association of County and City Health Officials to support the County's Environmental Health Retail Standards Mentorship Program, for the period November 1, 2016 through August 31, 2017. (No County match)
- C. 29** APPROVE and AUTHORIZE the Public Defender, or designee, to apply for and accept a grant in the amount of \$25,000 from the California Endowment for the Proposition 47 Outreach Program, for the period October 15, 2016 through April 14, 2017. (No County match)
- C. 30** APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract with the Central Contra Costa Sanitary District, to pay the County at the rate of \$148 per hour, plus expenses, to provide radio communication maintenance services to the District, for the period October 1, 2016 through June 30, 2018. (100% Central Contra Costa Sanitary District funds)

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

- C. 31** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a purchase order to Carousel Industries of North America Incorporated in the amount of \$135,000, and a Software and Services Agreement with Voice Print International, LLC, for the term of September 27, 2016 through September 26, 2019. (100% General Fund)
- C. 32** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with STAND! For Families Free of Violence, effective September 30, 2016, to extend the term from September 30 to December 31, 2016 with no change in the payment limit of \$373,913, to continue providing Phase II Lethality Assessment Program implementation for domestic violence homicide prevention. (100% Federal)

- C. 33** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Valley Air Conditioning & Repair, Inc., in an amount not to exceed \$350,000 to provide co-generation plant maintenance and repair for the period October 1, 2016 through September 30, 2019, Countywide. (100% General Fund)
- C. 34** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Kaiser Foundation Health Plan, Inc., in an amount not to exceed \$600,000,000 to provide health care services for Medi-Cal recipients enrolled in the Kaiser Foundation Health Plan, for the period October 1, 2016 through October 30, 2019. (100% Contra Costa Health Enterprise Fund II)
- C. 35** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Fred Nachtwey, M.D., in an amount not to exceed \$164,000 to provide pulmonary services at Contra Costa Regional Medical and Health Centers, for the period November 1, 2016 through October 31, 2017. (100% Hospital Enterprise Fund I)
- C. 36** APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a contract amendment with DFM Associates to extend the term for an automated voter registration and election management system for one year, beginning June 30, 2016, and continuing thereafter for successive one-year periods, unless otherwise terminated. (100% General Fund)
- C. 37** APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a contract with Metropolitan Van and Storage, Inc., in an amount not to exceed \$1,000,000 for the delivery, pick up and storage of election supplies and equipment for the period May 1, 2016 through April 30, 2019. (100% General Fund, with a portion reimbursed by various agencies)
- C. 38** APPROVE clarification of Board action of January 19, 2016 (Item C.42), which authorized the Health Services Director, or designee, to contract with Laura Hans, M.D., to correct the contract term to January 1, 2016 through December 31, 2016, with no change in the payment limit. (100% Hospital Enterprise Fund I)
- C. 39** APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract amendment with Keyser Marston Associates, Inc. (KMA) to increase the payment limit by \$24,300 to a new payment limit of \$111,530, to continue to provide Contra Costa Centre Transit Village Financial and Real Estate Consulting services, and extend the term from June 30, 2017 through June 30, 2018, . (100% Developer Fees)
- C. 40** APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute an addendum to the Memorandum of Understanding with the California Department of Justice to pay the State an amount not to exceed \$7,349 for the County's participation in the Electronic Recording Delivery System Program, for the period July 1, 2016 through June 30, 2017. (100% Electronic Recording Delivery Trust Fund)

- C. 41** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Community Violence Solutions, effective September 1, 2016, to extend the term from September 30 through December 31, 2016 and increase the payment limit by \$6,056 to a new payment limit of \$182,695, for continued services to victims of human trafficking. (100% Federal)
- C. 42** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Philip R. Mill, O.D. & Michael D. Sutton, O.D., Inc., in an amount not to exceed \$125,000 to provide optometry services to Contra Costa Health Plan (CCHP) members, for the period November 1, 2016 through October 31, 2018. (100% CCHP Enterprise Fund II)
- C. 43** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Arthritis and Rheumatology Medical Associates, Inc. (dba Northern California Arthritis Center), in an amount not to exceed \$425,000 to provide rheumatology services to Contra Costa Health Plan (CCHP) members, for the period November 1, 2016 through October 31, 2018. (100% CCHP Enterprise Fund II)
- C. 44** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Omnipro Systems, Inc., in an amount not to exceed \$140,000 to provide consulting and recruitment services to the Information Systems Unit of the Health Services Department, for the period September 1, 2016 through June 30, 2018. (100% Hospital Enterprise Fund I)
- C. 45** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Persimmony International, Inc., in an amount not to exceed \$1,026,888 for license renewal and maintenance of the Public Health's Home Visiting Program database, for the period September 1, 2016 through August 31, 2019. (62% Targeted Case Management, 48% Federal Medical Administrative Activities and budgeted County funds)
- C. 46** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Citrix Systems, Inc., in an amount not to exceed \$280,620 for Citrix software support renewals for the period October 1, 2016 through September 30, 2017. (100% Hospital Enterprise Fund I)
- C. 47** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Hill-Rom Company, Inc., in the amount of \$374,949 for rental beds at the Contra Costa Regional Medical Center, for the period November 1, 2016 through October 31, 2019. (100% Hospital Enterprise Fund I)

- C. 48** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with California Psychiatric Transitions in an amount not to exceed \$1,022,000 to provide residential care and mental health services to severely emotionally disturbed adults for the period September 1, 2016 through August 31, 2017. (100% Mental Health Realignment)
- C. 49** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Ujima Family Recovery Services in an amount not to exceed \$669,500 to provide trauma therapy, case management, and assessment services for SAMHWorks clients, for the period July 1, 2016 through June 30, 2017. (63% CalWORKS Alcohol and Other Drugs Services; 37% by CalWORKs Mental Health)
- C. 50** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a cancellation agreement with Vyend, LLC for the existing contract, effective at close of business on September 30, 2016; and execute a new contract with Vyend, LLC, in an amount not to exceed \$427,014, to provide management and technical assistance to the Department's Information Technology Unit, for the period from October 1, 2016 through June 30, 2018. (100% Hospital Enterprise Fund I)
- C. 51** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Xerox Consulting Company, Inc., to amend the prior contract amendment's effective date of June 30, 2016 to April 1, 2016, with no additional changes to the payment limit or contract term date as approved by the Board on July 12, 2016.
- C. 52** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Soliant Health, Inc., to amend the prior contract amendment's effective date of January 1, 2016 to December 1, 2015, with no additional changes to the payment limit or contract term date as approved by the Board on May 10, 2016. (100% Hospital Enterprise Fund I)
- C. 53** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Chenoa Information Services, Inc., to amend the prior contract amendment's effective date of June 30, 2016 to May 1, 2016, with no additional changes to the payment limit or contract term date as approved by the Board on July 12, 2016. (100% Hospital Enterprise Fund I)
- C. 54** APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay \$14,705 to Allegis Group Holdings, Inc. (dba TEK Systems, Inc.), for additional temporary help and recruitment services provided to the Health Services Department Information Systems Unit during the month of June 2016, as recommended by the Health Services Director. (100% Hospital Enterprise Fund I)



- C. 55** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order amendment with Good Source Solutions, Inc., to increase the payment limit by \$80,500 to a new payment limit of \$180,000 in order to provide packed food meals for Martinez Detention Facility in addition to supplying food products for the preparation of inmate meals at all three County adult detention facilities for the period April 1, 2016 through March 31, 2017. (100% General Fund)
- C. 56** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Employment and Human Services Director, a purchase order with Lakeshore Equipment Company in the amount of \$1,900,000 for childcare center furniture, classroom supplies and equipment, for the period August 1, 2016 through July 31, 2021. (50% Federal, 50% State)
- C. 57** APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with International Business Machines Corporation, to extend the term through September 30, 2017 with no change to payment limit of \$154,400, to complete the replacement of the Department of Information Technology's current billing application with IBM's Usage and Accounting Collector mainframe application. (100% User Fees)

#### **Other Actions**

- C. 58** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Assessor's Office, a purchase order with Tyler Technologies, Inc., in the amount of \$145,861 for maintenance of the AES Rapid 2000 computer automated appraisal system for the period August 1, 2016 through July 31, 2017, as recommended by the Assessor. (100% AB589 Property Tax Administration Program funds)
- C. 59** APPROVE the report "Pipeline Safety in Alamo, and surrounding areas within Contra Costa County, California" and staff recommendations in response to the report, as recommended by the Transportation Water and Infrastructure Committee, Countywide. (No Fiscal Impact)
- C. 60** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with ECS Imaging, Inc., in an amount not to exceed \$307,908 to implement Laserfiche, an electronic records content management system, for the period October 1, 2016 through September 30, 2019, Countywide. (100% Various Public Works Funds)
- C. 61** ACCEPT the Annual Report on Revolving and Cash Difference Funds, Overage Fund, and Shortages for fiscal year 2015/2016, as recommended by the County Auditor-Controller.

- C. 62** APPROVE the demolition projects located at 3939 Bissell Avenue, Richmond and 343 Rodeo Avenue, Rodeo and related actions under the California Environmental Quality Act, as recommended by the Public Works Director. (100% General Fund)
- C. 63** AUTHORIZE the Auditor-Controller to pay vendors and reimburse employees for expenses incurred upon the approval of the County Administrator not to exceed \$5,000 per request, as recommended by the County Administrator.
- C. 64** ADOPT Resolution No. 2016/530 authorizing the issuance of Multifamily Housing Revenue Bonds by the California Public Finance Authority in an amount not to exceed \$17,000,000 to provide financing for the costs of acquisition, rehabilitation, improvement and equipping of a multifamily housing development commonly known as Willowbrook Apartments, a 72-unit residential rental housing development located at 110 Bailey Road, Bay Point area, as recommended by the Conservation and Development Director. (100% Special Revenue funds)
- C. 65** ADOPT Resolution No. 2016/555 authorizing the issuance and sale of "Walnut Creek School District General Obligation Bonds, Election of 2016, Series A (2016)" in an amount not to exceed \$20,000,000 by the Walnut Creek School District on its own behalf pursuant to Section 15140(b) of the Education Code, as recommended by the County Administrator. (No County fiscal impact)
- C. 66** CONTINUE the emergency action originally taken by the Board of Supervisors on November 16, 1999, and most recently approved by the Board on September 13, 2016, regarding the issue of homelessness in Contra Costa County, as recommended by the Health Services Director. (No fiscal impact)

### **GENERAL INFORMATION**

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

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to a majority of the members of the Board of Supervisors less than 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.

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

## STANDING COMMITTEES

The **Ad Hoc on Sustainability Committee** (Supervisors Federal D. Gover and John Gioia) TBD

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 every other 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.

Ad Hoc on Sustainability Committee	October 24, 2016	4:00 p.m.	See above
Airports Committee	September 28, 2016	1:30 p.m.	See above
Family & Human Services Committee	October 10, 2016	1:00 p.m.	See above
Finance Committee	October 13, 2016	10:30 a.m.	See above
Hiring Outreach Oversight Committee	October 10, 2016	9:00 a.m.	See above
Internal Operations Committee	October 24, 2016	11:00 a.m.	See above
Legislation Committee	October 10, 2016	10:30 a.m.	See above
Public Protection Committee	October 24, 2016	9:00 a.m.	See above
Transportation, Water & Infrastructure Committee	October 13, 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 Deficiency 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  
**CCCPCD (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 (CCCPCD)** 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  
**ECCPCD** 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 Virus  
**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: FAMILY & HUMAN SERVICES COMMITTEE

Date: September 27, 2016

Subject: Referral No. 107 Laura's Law - Assisted Outpatient Treatment

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**RECOMMENDATION(S):**

CONSIDER accepting the report from the Health Services Department on the implementation of Laura's Law (Assisted Outpatient Treatment program) in Contra Costa County.

**FISCAL IMPACT:**

There is no fiscal impact; the report is informational.

**BACKGROUND:**

On December 15, 2015, the Health Services Department provided the Board of Supervisors with an update on the progress of the Assisted Outpatient Treatment Program. The Board approved the department's recommendation to continue with the program's implementation using \$2.25 million per year of Mental Health Services Act funding, which would not impact the County's General Fund or reduce the existing voluntary mental health program services. The Board asked that the department return with an update after six months of the full implementation.

On January 5, 2016, the Board approved the staff recommendation to continue Referral #107 Laura's Law to the 2016 Family and Human Services (FHS) Committee. On September 12, 2016, FHS received the attached report and supporting documents from the Health Services Department's Behavioral Health division on the implementation of Contra Costa County's Assisted Outpatient Treatment Program and approved forwarding it to the full Board.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Enid Mendoza, (925)  
335-1039

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

By: , Deputy

cc: William Walker, Health Services Department



## ATTACHMENTS

AOT Report Feb - Jul 2016

AOT Brochure - Attachment 1

AOT Brochure - Attachment 2

AOT Brochure - Attachment 3

AOT Data Report - Attachment

4

## **Contra Costa Behavioral Health Services Interim Report**

### **Assisted Outpatient Treatment Program - Period Covered: February – July 2016**

The Contra Costa County (County) Board of Supervisors (BOS) has authorized the program design and budget to implement Assisted Outpatient Treatment (AOT), and has requested an interim report after six months of operation.

AOT is civil court ordered treatment for persons with serious and persistent mental illness who demonstrate resistance to participating in services. The program design incorporated stakeholder input through a series of workgroup meetings, and consists of a partnership between, 1) the County's court system to adjudicate petitions for mandating mental health treatment, 2) Contra Costa Behavioral Health Services (CCBHS) staff to determine eligibility, ensure mental health care is provided, and initiate petitions, as appropriate, and, 3) a community based organization, Mental Health Systems' ACTiOn Team (MHS) to provide outreach, engagement and Assertive Community Treatment (ACT) level of care to individuals referred by CCBHS.

The program officially started on February 1, 2016 by opening a web site with a dedicated telephone line for referrals, and informing the community with promotional materials and approximately fifteen presentations to NAMI – Contra Costa, law enforcement agencies, and service providers that staff were hired, trained, and open for business. **(Attachments 1,2,3)**

Through the end of July, CCBHS has processed 101 qualified referral requests; 62 of the requests coming from family members, 16 from law enforcement, 16 from mental health service providers, and 7 from other sources. Geographical breakdown roughly approximates the respective populations of East, Central and West Contra Costa County. The rate of requests has been gradually increasing, with 26 of the requests still in the investigatory process. The length of time to determine AOT eligibility has ranged from a minimum of two weeks for cases currently open to CCBHS, to more than six weeks when information has to be obtained elsewhere. Of the 75 cases where a disposition has been established, 13 have been referred to MHS for outreach and engagement, 16 are receiving ACT services, and 3 petitions have been recently filed and are awaiting a first court appearance. 39 individuals were deemed not to be eligible, with 16 of these individuals connected to other appropriate mental health services, and one individual incarcerated. **(Attachment 4)**

The litigation, or court function of AOT, is new and in its early stages. A total of six court petitions have been filed, with three cases resulting in a settlement agreement where the individual is voluntarily participating in services, and three petitions have been recently been filed. The number of petitions filed appear to be low, as CCBHS and MHS staff appear to be successful in connecting individuals, whether eligible for AOT or not, to either the Adult Mental Health System of Care, or to Mental Health Systems' ACTiOn Team, depending upon the acuity level of their illness. For those AOT petitions that have gone to court, CCBHS staff, County Counsel, the Public Defender's Office and Superior Court staff have communicated and worked well together to benefit and complement the AOT program.

The above data reflects a start-up pattern consistent with other large counties who have implemented AOT; namely, program numbers start slow, accelerate at about the six month period, and then plateau. Also consistent is low court involvement, with the preponderance of referred individuals accepting mental health treatment.

CCBHS staff have worked hard to adapt to the role of expeditiously responding to referral requests, determining eligibility, and ensuring connection to the appropriate next steps; whether referral to MHS for outreach and engagement, engaging the court process, or ensuring individuals receive the right type of care, whether they are eligible for AOT or not. Staff report an increase over time in the quality of information and support supplied by qualified requestors. This is resulting in a greater rate of appropriate referrals that exhibit acute clinical need. Reported challenges include managing confidentiality while serving court summons to a service user in a treatment setting, adapting the original program design to day-to-day operations, and establishing a computerized data management system specific to AOT.

Mental Health Systems has achieved full staffing capacity to field a multi-disciplinary mobile team consisting of mental health clinicians, psychiatry, nursing, vocational and housing support, and peer and family partner providers. They have established a master-leased property that has the capacity to safely house up to seven non-crisis clients. Staff have undergone extensive trainings in the ACT model of treatment and various evidence based practices, such as various assessment tools and Motivational Interviewing. The ACTiOn Team has partnered with Contra Costa NAMI to develop supportive and collaborative relationships, and has provided a three part training series to assist family members have a better understanding of ethical, legal and cultural practices of care providers. Two written testimonials from family members have been received that attest to both the effectiveness of the care provided, as well as the support they have received during the process. Reported challenges include clarifying CCBHS's role as it affects day-to-day clinical care decision-making by the MHS ACTiOn Team, introducing the ACT model of care to this County, and housing clients who are not yet ready to safely maintain themselves in housing that is available.

In March of this year Resource Development Associates (RDA) was authorized to provide an independent quantitative and qualitative evaluation of Contra Costa's AOT Program, and to report on the program's programmatic and cost effectiveness. Since then RDA, CCBHS and MHS staff have together identified the data sources, methodology and time line to gather, analyze and report on the research questions of 1) how faithful are ACT services provided to the ACT model, 2) what are the outcomes for people who participate in AOT, 3) what are differences between people who voluntarily participate in AOT versus those who are court ordered, and 4) what are the differences between those who participate in AOT versus those who participate in the County's Full Service Partnership Programs. Recent and planned activities include a site visit to MHS by RDA in August that utilizes the Dartmouth University ACT Fidelity scale, collection of agreed upon data by RDA in September, analysis with participating partners in October, and a full report with data generated in November to CCBHS, the Mental Health Commission, and the Board of Supervisor's Family and Human Services Committee.

## You Should Know

Information you provide as a referring person, such as your identity and personal information, may not be held as confidential and could become part of a court record. As a qualified requesting party you will be expected to participate, and the process may require a substantial amount of your time and effort. The AOT program works within the parameters of medical privacy laws to safeguard protected information. Client information and outcomes may not be shared with qualified requesting parties without informed written consent.

1430 Willow Pass Road, Suite 100  
Concord, CA 94553  
925-957-5201  
[cchealth.org/bhs](http://cchealth.org/bhs)



# Assisted Outpatient Treatment

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Qualified  
Requesters

## In Crisis?

If you are experiencing a life-threatening emergency, call **911** immediately.

*To speak with a trained crisis counselor about a mental health concern, call*

**1-888-678-7277**  
*day or night*

The AOT Program does not provide mental health crisis services to the general public.



For more information about the AOT Program,  
[visitchealth.org/mentalhealth/lauras-law.php](http://visitchealth.org/mentalhealth/lauras-law.php)

Contra Costa Behavioral Health provides assisted outpatient treatment (AOT) for persons experiencing mental illness who meet the criteria of 2002 California Assembly Bill 1421, also known as Laura's Law.

- 18 or older with a mental illness
- Mental health condition worsening
- Unlikely to be safe in the community without supervision
- Needs the program to prevent serious harm to themselves or others
- Has not engaged in offered treatment
- History of resisting mental health treatment, and
  - Hospitalized due to mental illness 2 times in the last 36 months, OR
  - 1 or more acts of violence toward themselves or others in the last 48 months
- Program participation would be the least restrictive option to ensure recovery and stability
- Likely to benefit from participating

## How to Request Services

If you know someone who meets ALL these criteria, you can request AOT services from Contra Costa County if you are over 18 and are a:

- Probation or police officer
- Parent, spouse, child or member of the person's household
- Mental health clinician serving the person
- Director of a facility where the person is hospitalized or receiving mental health care

To request AOT services, call  
**1-844-422-2268.**

## Making a Request

A clinician will return your call during business hours. Please be ready to share details and provide examples supporting your request.

Your information helps Behavioral Health Services (BHS) determine if AOT is appropriate for the person.

Documentation such as prescriptions, hospital papers or other medical records will aid the process. Information about how to locate or contact the person also helps.

## What to Expect

If BHS determines AOT is an appropriate legal option to pursue, mental health outreach workers will try to contact the person and connect them to services, potentially several times. Voluntary participation is always the goal.

The clinician may also contact you again for follow-up information.

BHS will refer the person to appropriate services within the Mental Health System.

When a person who needs AOT will not participate, BHS petitions a Contra Costa Superior Court judge for a private civil hearing. After the hearing, the judge may require them to participate.

## You Should Know

The AOT Program does not provide mental health crisis services. If you are experiencing a life-threatening emergency, call 911 immediately.

1340 Arnold Drive, Suite 200  
Martinez, CA 94553  
925-957-5201  
[cchealth.org/bhs](http://cchealth.org/bhs)



# Assisted Outpatient Treatment

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For  
Clients

## In Crisis?

If you are experiencing a life-threatening emergency, call **911** immediately.

*To speak with a trained crisis counselor about a mental health concern, call*

**1-888-678-7277**  
*day or night*

The AOT Program does not provide mental health crisis services to the general public.



For more information about the AOT Program,  
visit [chealth.org/mentalhealth/lauras-law.php](http://chealth.org/mentalhealth/lauras-law.php)

## What is Assisted Outpatient Treatment?

Assisted Outpatient Treatment (AOT) is a team-based support service to help you feel better and stay safe. A supportive team helps you identify your needs, helps create a plan for getting those needs met, and supports you each step of the way.

## Who gets AOT?

We offer AOT to people who have had serious things happen, such as going to Psychiatric Emergency Services, having a problem with the police or who may just feel unsafe in the community. We only offer AOT if we think it can help.

## What are the benefits of AOT?

NOBODY wants police, hospitals or courts in your life. People who participate in AOT are much less likely to have that kind of problem again. Also, people who participate in AOT are treated with respect and make their own choices. While receiving services, you still live at home and go where you want. Or, if you need a home, AOT can work with you to find one.

## How does it work?

People who participate in AOT work with a team of professionals to make a treatment plan just for them. Plans address things that can get in the way of staying safe and healthy. Services can include:

- Help with medication
- Access to primary health care
- Substance abuse counseling
- Mental health treatment
- Help with health benefits
- Access to supportive housing programs
- Job training
- Peer support for you and your family

## Why have I been contacted about AOT?

Someone recommended that this program might be helpful to you. Trained support staff from Contra Costa Behavioral Health will work with you to decide if AOT is a good fit, or if some other service might be better for you.

## Do I have to pay?

This program is funded through a combination of the county's General Fund and the Mental Health Services Act. All eligible people will be served regardless of their ability to pay.

## What about my privacy?

AOT is confidential. Not even the person who recommended you will know if you join the program or any other details about your treatment, unless you tell someone. You have the opportunity to include others in your plan if you choose.

## What if I do not want help?

AOT works best for people who are willing to participate. A few of our clients are placed in the program after a court hearing, because a judge decides it is very important for them to participate.

The AOT team is mobile and offers flexible hours that make connecting more convenient for you.

## The Court's Role

The goal is for eligible individuals to voluntarily participate in the AOT Program. However, in cases where a referred individual will not do so, they will be summoned to a private civil hearing in Contra Costa Superior Court.

In this situation, BHS files a petition with the court, and a judge holds a hearing that includes the referred individual and their legal representation, provided by the Public Defender's office. After the hearing, the judge may order the referred individual to participate in AOT.

1430 Willow Pass Road, Suite 100  
Concord, CA 94553  
925-957-5201  
[cchealth.org/bhs](http://cchealth.org/bhs)



# Assisted Outpatient Treatment

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Program  
Overview

## In Crisis?

If you are experiencing a  
life-threatening emergency,  
call **911** immediately.

*To speak with a trained crisis counselor  
about a mental health concern, call*

**1-888-678-7277**  
*day or night*



For more information about the AOT Program,  
visit [cchealth.org/mentalhealth/lauras-law.php](http://cchealth.org/mentalhealth/lauras-law.php)



Assisted Outpatient Treatment (AOT) is for people with severe and persistent mental illness, who need treatment to prevent them from getting worse, may pose a risk to themselves or others, and who usually decline care or struggle to stay or enroll in treatment.

For these individuals, Contra Costa County has adopted Laura's Law, which allows counties to use the civil court system to supervise care.

The court process is only used after every effort has been made to encourage individuals who need treatment to voluntarily participate.

The AOT program is a partnership between Contra Costa Behavioral Health Services (BHS), the Superior Court, the Public Defender's Office and Mental Health Systems, a nonprofit service provider.

## What AOT does

Eligible individuals benefit from a 24-hour team response that can include treatment, medication, access to primary health care, substance abuse counseling, counseling regarding benefits and other resources, access to supportive housing services, vocational rehabilitation, and peer and family member support.

Participants are either referred to the program by the court or join voluntarily. Those who do not meet all AOT eligibility requirements are connected with appropriate behavioral health services.

## Who is eligible for AOT

An adult with mental illness may qualify for the AOT program if their mental health is getting worse, they are unlikely to be safe in the community without supervision, and they have a recent history of hospitalization or violence related to their mental health.

The program is intended for those who have previously declined or not engaged in offered treatment.

For more information about who qualifies for AOT and who can request an AOT screening, visit [cchealth.org/mentalhealth/lauras-law.php](http://cchealth.org/mentalhealth/lauras-law.php)

## How AOT works

A Care Team responds to qualified requests for AOT screening and supports those involved, encourages participation in appropriate mental health care, provides links to services and engages the person in the least restrictive care needed.

Eligible individuals receive Assertive Community Treatment, a nationally recognized, evidence-based practice. The ACT team is led by a licensed mental health clinician and works with clients to implement individualized treatment plans.

When a person who needs AOT will not participate, BHS petitions a Contra Costa Superior Court judge for a private civil hearing. After the hearing, the judge may require them to participate.

**Assisted Outpatient Treatment Program Data – FEB through JUL 2016**
**ATTACHMENT 4**

		Number	Percentage	County Demographic Percentage
<b>Gender</b>	Male	59	58	49
	Female	42	42	51
Total		101		
<b>Region</b>	West	28	28	24
	Central	46	45	50
	East	27	27	26
Total		101		
<b>Type of Qualified Requestor</b>	Family Members	62	61	
	Law Enforcement	16	16	
	Service Providers	16	16	
	Other	7	7	
Total		101		
<b>Outcomes</b>	Case opened - determining AOT eligibility	26		
	Referred to MHS for outreach and engagement	13		
	Volunteered for ACT Services	16		
	Court Involved petition pending	3		
	Connected to other mental health services	16		
	Not eligible for AOT	26		
	Incarcerated	1		
Total		101		



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: September 27, 2016

Subject: HEARING to consider adoption of Ordinance No. 2016-12 and Resolution No. 2016/543

---

**RECOMMENDATION(S):**

1. OPEN the public hearing to consider adopting Ordinance No. 2016-12, to adjust Bethel Island Area of Benefit ("Bethel Island AOB") fees; RECEIVE public comments; CONSIDER all objections and protests received by the Clerk of the Board of Supervisors; and CLOSE the public hearing.
2. DETERMINE that the County did not receive protests from owners of more than one half of the area of the property within the proposed boundaries of the Bethel Island AOB, and therefore a majority protest does not exist.
3. ADOPT Ordinance No. 2016-12 to adjust the fees within the Bethel Island AOB, and to reestablish the boundaries of the Bethel Island AOB.
4. ADOPT Resolution No. 2016/543 to adopt the Development Program Report and Nexus Study attached thereto.
5. DETERMINE that the adoption of Ordinance No. 2016-12 and Resolution No. 2016/543 are exempt from environmental review under the California Environmental Quality Act (CEQA), pursuant to Article 5, Section 15061(b)(3) of the CEQA Guidelines.
6. DIRECT the Conservation and Development Director

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Mary Halle, (925)  
313-2327

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

By: , Deputy

cc: Liza Mangabay, 925-313-2232, Mary Halle, 925-313-2327

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

to file a Notice of Exemption with the County Clerk-Recorder; and DIRECT the Public Works Director to arrange for payment of the \$25.00 handling fee to the County Clerk-Recorder for the filing of the Notice of Exemption.

7. DIRECT the Clerk of the Board of Supervisors to record certified copies of Ordinance No. 2016-12 and Resolution No. 2016/543 in the Official Record of the Contra Costa County Clerk-Recorder.

8. DIRECT that, on January 1, 2017, and on each January 1 thereafter that the Ordinance No. 2016-12 remains in effect, the Public Works Director adjust the Bethel Island AOB transportation mitigation fees for the effects of inflation or deflation, in accordance with Section 5(a)(3) of the ordinance.

9. REDESIGNATE Trust Fund No. 1290 as the fund into which all Bethel Island AOB transportation mitigation fee revenue will be deposited, DIRECT all Bethel Island AOB transportation mitigation fee revenue must be deposited into that fund, and DIRECT the County Treasurer-Tax Collector to invest all monies in that fund, with interest to accrue and remain in the fund.

10. DIRECT that all funds previously deposited in Trust Fund No. 1290 must be used solely to pay new development's proportional share of the actual or estimated costs of constructing the transportation improvements specified in the Development Program Report and Nexus Study attached hereto, and to reimburse the County for payment of any such costs with money advanced by the County from its general fund, or from other County revenues.

11. AUTHORIZE the Public Works Department to collect an additional administrative fee equal to two percent (2%) of the applicable Bethel Island AOB Fee.

12. DIRECT the Conservation and Development Director to monitor future amendments to the currently adopted General Plan and their impact on traffic within the Bethel Island AOB, and to report those amendments to the Public Works Director as necessary to facilitate updating of the Bethel Island AOB Fee.

#### FISCAL IMPACT:

Adoption of Ordinance No. 2016-12 will result in the collection of transportation mitigation fees from new development in amounts calculated to reflect new development's proportional share of the actual or estimated costs of transportation improvements that are necessary to mitigate transportation impacts within the Bethel Island AOB, as specified in the Development Program Report and the Nexus Study.

#### BACKGROUND:

A. INTRODUCTION: One of the objectives of the County General Plan is to connect new development directly to the provision of community facilities necessary to serve that development. In other words, development cannot be allowed to occur unless a mechanism is in place to provide the funding for the infrastructure necessary to serve that development. Imposing transportation mitigation fees on new development is a means of raising revenue to construct road improvements to serve new developments. Requiring that all new development pay a transportation mitigation fee ensures that new development pays its proportional share of the transportation improvements that need to be constructed to alleviate traffic impacts attributable to that development.

B. PAST AND PURPOSE OF BETHEL ISLAND AOB: On March 15, 1988, the Board of Supervisors ("Board") passed Resolution 88/122, forming the Countywide Area of Benefit ("Countywide AOB"), a development fee program to raise revenue for the improvement of the capacity and safety of the arterial road network in the County through the establishment of a traffic mitigation fee ordinance, pursuant to Government Code section 66484. The boundaries of the Countywide AOB coincided with the County boundary, but only unincorporated areas were included in the Countywide AOB. The Board also adopted a Development Program Report ("1988 DPR"), which showed the Countywide AOB to be divided into seven regions – West County, Central County, Lamorinda,

Alamo, South County, East County and Bethel Island. The 1988 DPR set forth a list of improvements in each region, their estimated costs, the basis for apportionment of these costs among different land use categories, and fees applicable to development in each region. Ordinance No. 88-27, adopted the same date, established the fees applicable to all development in the seven regions. The 1988 DPR provided that fees collected in a subarea were to be kept in a separate trust fund specific to that subarea, to “ensure that the money collected in a subarea is used to improve the road deficiencies in that subarea only and will not be diverted for use elsewhere in the County.”

On March 9, 1993, the Board adopted a revised development program report (“1993 DPR”) for the Countywide AOB, which outlined the boundaries of seven areas of benefit within the original Countywide AOB and described them as coinciding with the boundaries of the seven regions created in 1988. Among the new areas of benefit was the Bethel Island AOB. The 1993 DPR identified the same four projects for the Bethel Island AOB that were identified in the 1988 DPR. The four projects were estimated at that time to cost \$9,200,000, unchanged from the cost estimate provided in 1988. The 1993 DPR also provided that the funding mechanism and trust fund accounts specific to a particular region would remain in place but be “specific to a particular Regional Area of Benefit.” Simultaneously with the adoption of the 1993 DPR, the Board adopted Ordinance No. 93-27, formally establishing the Bethel Island AOB and adopting fees to fund the four projects identified in the 1993 DPR for that area.

Fees imposed on new development pursuant to Ordinance No. 93-27 have funded transportation improvements to satisfy traffic demands within the Bethel Island AOB. For example, the Bethel Island Road Bridge over Dutch Slough (one of the key Area of Benefit improvement projects), has been replaced with a new, widened structure. However, other AOB improvements identified in the 1993 DPR have not been constructed. The proposed road widening on Bethel Island Road from Wells Road to Sandmound Road is yet to be completed. This project will “carry-over” from the current project list to the new project list with the current fund balance allocated towards this project.

**C. PROPOSED CHANGES TO FEE PROGRAM:** In recent years, the development potential and traffic circulation needs have changed within the Bethel Island AOB. In 2006, the City of Oakley annexed portions of the AOB south of Dutch Slough. New development within the Bethel Island AOB will generate nearly 900 residential units, 107,000 square feet of office space, 32,000 square feet of industrial, and 97,000 of retail by year 2040. These changes in the AOB, along with population growth and new estimated potential growth, have prompted an update to the AOB program, resulting in an amended project list and fee schedule, and some administrative modifications, as discussed below.

1. **New Project List:** County staff and consultants have identified transportation projects that are needed to serve development within the Bethel Island AOB through 2040. These projects have been included on a new project list, attached as Exhibit C to the August 2016 Development Program Report (“2016 Development Program Report”). Each of the new projects includes adding shoulders or pavement widening to certain existing road segments, to improve road safety and bicycle and pedestrian transit on those road segments. These road segments include portions of Bethel Island Road, Sandmound Boulevard, Gateway Road, and Piper Road.

The total estimated cost of the updated list of projects is \$6,928,000, of which \$2,339,000 is attributable to new development within the Bethel Island AOB. The current Bethel Island AOB fund balance will be applied to the portion of the estimated costs attributable to new development, resulting in a net \$1,862,000 needing to be paid by new development. (Detailed estimates of the cost of each of the projects on the project list are included in the August 2016 Nexus Study, Bethel Island Area of Benefit (the “Nexus Study”), attached as Exhibit D to the 2016 Development Program Report.) The cost of the projects attributable to new development will be paid with revenue from transportation mitigation fees imposed on new development within the Bethel Island AOB. The remaining cost of the project is attributable to existing development, which shall be paid from other revenue sources, including but not limited to State or Federal Highway Safety Improvement grant funds, Local Measure J funds, gas tax revenue, and various other grant programs that may become available in the future.

2. **Revised Fee Rates:** Based on the analysis in the Nexus Study, transportation mitigation fees were calculated to charge new development for its proportional share of the cost of the projects on the project list in the 2016 Development Program Report. These transportation mitigation fees are set forth in Table 1, below. These fees will

be imposed on new development within the Bethel Island AOB on and after the effective date of Ordinance No. 2016-12. On January 1, 2017, and on each January 1<sup>st</sup> thereafter, each of the fees in Table 1 will automatically increase or decrease based on the percentage change in the Engineering News-Record Construction Cost Index, San Francisco Bay Area, for the 12 month period ending September 30<sup>th</sup> of the year prior to the year in which the adjustment will take effect.

Table 1: Proposed Fee Rates

<b>Land Use Category</b>	<b>Proposed Fee Rate</b>
Single-Family	\$1,617 / du
Multi-Family	\$986 / du
Commercial	\$2.30 / sf
Office	\$1.86 / sf
Industrial	\$1.47 / sf
Other	\$1,617 / due

Note: du = dwelling unit; sf = square foot; due = dwelling unit equivalent

The total fees required to be paid by a new development project applicant will be calculated based on the number of dwelling units (residential), square feet (commercial, office, industrial), or dwelling-unit-equivalents (other) attributable to that development, as specified in the Nexus Study, multiplied by the applicable fee in Table 1. The fee for the expansion of an existing development will be calculated by determining the number of dwelling units, square feet, or dwelling-unit-equivalents attributable only to the expansion.

The fees to be paid by each new development will be collected at the time a building permit is issued for the development, in accordance with Ordinance Code Chapter 913-4. Fee revenue will be deposited in the fund for the Bethel Island AOB – Trust Fund No. 1290 – and used only for the transportation improvements identified in the 2016 Development Program Report.

#### CONSEQUENCE OF NEGATIVE ACTION:

Failure to adopt Ordinance No. 2016-12 to adjust fees in the Bethel Island Area of Benefit and reestablish the boundaries of the area of benefit will result in new development not paying its proportional share of the transportation improvements needed to serve development within the AOB through 2040.

#### ATTACHMENTS

Resolution No. 2016/543

DPR - Bethel Island AOB

Nexus Study for Bethel Island AOB Aug 2016

Ordinance 2016-12

CEQA - Notice of Exemption

Board Resolution Final Reso No. 2016/543

Recorded at the request of: Mary Halle, (925) 313-2327  
Return To: mary.halle@pw.cccounty.us

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

Adopted this Resolution on 09/27/2016 by the following vote:

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

---

Resolution No. 2016/543

IN THE MATTER OF the adoption of Contra Costa County Ordinance No. 2016-12, adjusting the fees for the Bethel Island Area of Benefit.

WHEREAS, the Board of Supervisors conducted a public hearing on September 27, 2016, to consider the adoption of Contra Costa County Ordinance No. 2016-12, to adjust transportation mitigation fees imposed on new development in the Bethel Island Area of Benefit; and

WHEREAS, the Board of Supervisors at said hearing reestablished the boundaries of the Bethel Island Area of Benefit, the costs of the proposed improvements, and the method of fee apportionment, as set forth in the August 2016, Development Program Report for the Bethel Island Area of Benefit ("Development Program Report"), attached hereto as Exhibit 1; and

WHEREAS, Government Code section 66484 requires a resolution incorporating a description of the area of benefit boundaries, costs, and method of fee apportionment to be recorded by the governing body conducting the hearing; and

WHEREAS, the August 2016, "Nexus Study, Bethel Island Area of Benefit" ("Nexus Study"), which is attached as Exhibit D to the Development Program Report, sets forth the nexus findings required by the Mitigation Fee Act (Gov. Code. § 66000 et seq.);

NOW THEREFORE, it is resolved that the Board of Supervisors hereby:

1. ADOPTS the Development Program Report attached hereto as Exhibit 1, including the Nexus Study attached as Exhibit D to the Development Program Report.
2. INCORPORATES herein by reference the following, which were established at the hearing described above:
  - A. The boundaries of the Bethel Island Area of Benefit, as more particularly described in the legal description attached as Exhibit A to the Development Program Report, and as depicted in the map attached as Exhibit B to the Development Program Report.
  - B. The estimated costs of the bridge and thoroughfare improvements to be funded with revenue from the Bethel Island Area of Benefit fees, as more particularly set forth in Exhibit C to the Development Program Report; and
  - C. The method of apportionment of the Bethel Island Area of Benefit fees, as more particularly described in the Development Program Report, and in the Nexus Study attached as Exhibit D to the Development Program Report.

**Contact:** Mary Halle, (925) 313-2327

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

**ATTESTED: September 27, 2016**

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

By: , Deputy

**cc:** Liza Mangabay, 925-313-2232, Mary Halle, 925-313-2327





ADOPTED BY BOARD OF SUPERVISORS  
ON \_\_\_\_\_

# **Development Program Report for the Bethel Island Area of Benefit**

August, 2016

Prepared Pursuant to Section 913 of the County Ordinance Code

Prepared by and for:

Contra Costa County Public Works Department, Transportation Engineering Division and  
Department of Conservation and Development, Community Development Division

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## Chapter

**1****Introduction and Purpose**

The Bethel Island Area of Benefit ("Bethel Island AOB") was created as a means to collect funds to maintain and improve the capacity and safety of the arterial road network in the north-east county area of Contra Costa County ("County") including Bethel Island, Jersey Island, Bradford Island, and King Edward Island. This Development Program Report ("DPR") contains information and data in support of a decrease in the fees imposed on development projects within the Bethel Island AOB to fund improvements to the County's roadway, transit, bicycle and pedestrian facilities needed to accommodate travel demand generated by new land development within the unincorporated portion of this AOB. The DPR is required by Chapter 913-6 of the County Ordinance Code and is required by the Board of Supervisors' Policy on Bridge Crossing and Major Thoroughfare Fees (adopted July 17, 1979), which implements Division 913 of the County Ordinance Code.

One of the objectives of the County General Plan is to connect new development directly to the provision of community facilities necessary to serve that development. In other words, development cannot be allowed to occur unless a mechanism is in place to provide the funding for the infrastructure necessary to serve that development. The Bethel Island AOB Fee is a means of raising revenue to construct road improvements to serve new developments. Requiring that all new development pay a road improvement fee will help ensure that they participate in the cost of improving the road system.

Each new development or expansion of an existing development will generate new additional traffic. Where the existing road system is inadequate to meet future needs based on new development, improvements are required to meet the new demand. The purpose of a development program is to determine improvements ultimately required by future development and to require developers to pay a fee to fund these improvements. Because the Bethel Island AOB Fee is based on the relative impact on the road system and the costs of the necessary improvements to mitigate this impact, the fee amount is roughly proportional to the development impact. This report discusses the basis of that fee amount. The update results in lower fee rates because the largest project on the former list, Bethel Island Bridge, was completed with a large cost savings due to grant funding. The projects on the current list are relatively low cost and thus require lower traffic impact fees.

## Chapter

## 2

**Background**

On March 15, 1988, the Board of Supervisors ("Board") passed a resolution forming the Countywide Area of Benefit ("Countywide AOB") to improve the capacity and safety of the arterial road network in the County through the establishment of a traffic mitigation fee ordinance (Resolution 88/122 and Ordinance 88-27). This ordinance applied to unincorporated areas of the County and outlined boundaries of seven regional areas of benefit, including the Bethel Island AOB, within the original Countywide AOB. The Bethel Island AOB was last updated in 1993.

The Bethel Island Road Bridge over Dutch Slough (one of the key Area of Benefit improvement projects), has been replaced with a new, widened structure. However, other AOB improvements to Cypress Road and Bethel Island Road have not been implemented.

In recent years, the area within the Bethel Island AOB has experienced changes in the area's traffic circulation needs and development potential. In 2006, the City of Oakley annexed portions of the AOB south of Dutch Slough. In addition, the County's General Plan includes policies that significantly limit potential residential development on Bethel Island until financing for the island's perimeter levee system can be assured. These changes in AOB area and growth potential have prompted an update to the AOB program, resulting in an amended project list and fee schedule.



Chapter

**3**

**Location and Boundary**

The Bethel Island AOB boundary location is described in Exhibit A and generally shown in Exhibit B.

Chapter

**4**

**General Plan Relationship**

The Bethel Island AOB is consistent with the features of the County General Plan and its amendments, and subscribes to the policies of the General Plan elements. The General Plan policies include, but are not limited to, improving the County roadway network to meet existing and future traffic demands. The Bethel Island AOB Fee will assist in funding the necessary roadway improvements required for future growth as shown in the General Plan.

The General Plan and its various elements are available for review at the Department of Conservation and Development, Community Development Division, 30 Muir Road, Martinez, during office hours.



Chapter

**5**

**Project List**

The project List for the Bethel Island AOB is set forth in Exhibit C. This list contains five projects, all related to arterial roadway improvements through roadway widening. The improvements are not related to Level of Service (LOS) problems, as the Bethel Island roads are LOS A exceeding County standards. Instead, the improvements will address safety concerns on narrow roadways. The addition of shoulders will increase safety even as the amount of traffic increases. Shoulders will also provide a bike lane/walkway.

The improvements proposed on the Bethel Island AOB project list were identified in a cooperative effort by the Public Works Department and the Department of Conservation and Development, utilizing the combined knowledge of both agencies. These improvements have been identified through previous planning and traffic studies and environmental impact analyses conducted in the area.

The proposed improvements will be reviewed periodically to assess the impacts of changing travel patterns, the rate of development, and the accuracy of the estimated project costs. The periodic review of the program will also allow staff to evaluate project priority and the need to increase fees should project costs increase or exceed the rate of inflation.

## Chapter

**6****Development Potential**

The “Nexus Study: Bethel Island Area of Benefit” (“Nexus Study”), dated August, 2016, was prepared by DKS in association with Urban Economics for the Public Works Department and is attached as Exhibit D and incorporated herein by reference. The Nexus Study provides the technical basis for establishing the required nexus between the anticipated future development in Bethel Island AOB and the need for certain regional facilities.

The projected growth in households, employment, and vehicle-miles traveled within the Bethel Island AOB is discussed and shown in the Nexus Study.

A summary of the potential new residential dwelling units, office, industrial, and commercial/retail developments (net growth from 2010 to 2040) for the unincorporated portion of AOB is shown in Table 1.

Table 1. Development Potential Summary

Land Use Category	Units
Single-Family Residential	819 dwelling units
Multi-Family Residential	70 dwelling units
Office	107,300 sq ft
Industrial	31,800 sq ft
Commercial/Retail	96,700 sq ft





Chapter

**7**

## Estimated Cost of Road Improvements

The estimated costs of the road improvements planned for the Bethel Island AOB and the corresponding recommended Bethel Island AOB Fee contributions are shown in Exhibit C. The Bethel Island AOB will only finance the proportional share of the improvements necessitated by the impact on the road system from new development.

Detailed cost estimates for the projects included in the road improvement plan are provided in Appendix A of the Nexus Study.

The County will assess an administrative fee equal to 2% of the applicable fee. This additional fee will be used to cover staff time for fee collection, accounting, and technical support to the community groups and traffic advisory committees.

Chapter

8

# Method of Fee Apportionment

The total estimated cost of the projects included in the Bethel Island AOB project list is \$6,928,000. Of this, approximately \$2,339,000 is attributable to growth within the Bethel Island AOB. There is an existing account balance of \$477,000.

An adjusted project cost to be covered by the Bethel Island AOB fees was determined by subtracting the existing fund balance from the attributable project cost.

$$\begin{array}{rcl}
 \$2,339,000 & - & \$477,000 = \$1,862,000 \\
 \text{(Attributable Project Cost)} & \text{(Balance)} & \text{(Adjusted Project Cost)}
 \end{array}$$

This adjusted project cost represents the amount of revenue needed from the Bethel Island AOB Fee to fund the construction of the projects shown in Exhibit C.

The expected growth in the Bethel Island AOB to the year 2040 is 889 dwelling units and 235,800 square feet of retail, office, and industrial space. To determine a fee rate per unit, first each development type is assigned a dwelling unit equivalent or "DUE" rate. DUEs compare the trip making characteristics of a land use in relation to a typical single-family residential unit, which is assigned a DUE of 1. Land uses with lower overall traffic impacts than a single family home are assigned values less than 1, and vice versa. The following Table shows the DUE rates for the various land use categories.

Table 2

Dwelling Unit Equivalent (DUE) Rates						
Land Use Category	PM Peak Hour Trip Rate per	Unit	Trip Length (miles) <sup>2</sup>	Percent New trips <sup>2</sup>	VMT per Unit	DUE per Unit
Singe Family	1.01	Dwelling Unit	5.0	100	5.050	1.00
Multi-Family	0.62		5.0	100	3.100	0.61
Retail	4.10	Square Feet	2.3	76	7.167	0.00142
Office	1.40		4.5	92	5.796	0.00115
Industrial	0.98		5.1	92	4.598	0.00091
<sup>1</sup> ITE Trip Generation 7th Edition						
<sup>2</sup> ITE Journal, May 1992						
Source: DKS Associates, 2013						

Next, the total growth in DUEs in the AOB by 2040 is found by multiplying the land use growth by the DUE per Unit factors found above. The growth in DUEs for each land use and the total growth in DUEs is shown below.

Table 3

Growth in DUEs				
Land Use Category	Unit	Growth in Units <sup>1</sup>	DUE per Unit	Growth in DUEs
Singe Family	Dwelling Unit	819	1.00	819.0
Multi-Family		70	0.61	42.7
Retail	Square Feet	96,700	0.00142	137.3
Office		107,300	0.00115	123.4
Industrial		31,800	0.00091	28.9
Total				1,151.3
<sup>1</sup> See Table 2: "Summary of Estimated Development 2010 to 2040 Growth"				
Source: DKS Associates, 2013				

Finally, the Cost per DUE is found by dividing the total Cost of Improvements Allocated to AOB Growth by the total Growth in Dwelling Unit Equivalents (DUE's):

$$\frac{\$1,862,000}{1,151.3} = \$1,617 \text{ per DUE}$$

Because the DUE rates are based on estimates of the average vehicle-miles of travel generated during the PM peak hours for each general land use type, the developments are charged fees in proportion to the amount of traffic impact they are projected to generate. In this way, the fees attributed to each new parcel will be proportional to the estimated benefits they receive through use of the new improvements.

Chapter

9

Fee Rates

## Calculation of Fees

The fee calculation is set forth in detail in the Nexus Study (Exhibit D).

To determine a maximum fee rate for the various land use categories, the Cost per DUE is multiplied by the DUE per unit, which were both found in Chapter 8. In the residential categories, this results in a fee per dwelling unit. In the non-residential categories, the fee is charged per square foot. These calculations are summarized in the following Table.

Table 4. Fee Calculations

Nexus-Based Fee Rates for Bethel Island AOB			
Cost of Improvements Allocated to AOB			\$1,862,000
Growth in Dwelling Unit Equivalents			1,151.3
Cost per DUE			\$1,617
Land Use	Units	DUE per Unit	Maximum Fee per Unit <sup>1</sup>
Single Family	Dwelling Unit	1.00	\$1,617
Multi-Family	Dwelling Unit	0.61	\$986
Retail	Square Foot	0.00142	\$2.30
Office	Square Foot	0.00115	\$1.86
Industrial	Square Foot	0.00091	\$1.47
Other	Dwelling Unit	1.00	\$1,617
<sup>1</sup> Maximum Fee per Unit = (Cost per DUE) x (DUE per Unit)			
Source: DKS Associates, 2014			

The "Other" Land Use category is for unique land uses, which are most commonly recreational or institutional. To determine the DUE for a development considered "Other," the vehicle miles traveled (VMT) are first estimated using a combination of trip generation data, the default rate for trip length, and percent new trips. A conversion factor is then applied to find the DUE.

## **Recommended Fees**

The potential maximum fee rates calculated in the Nexus Study and presented in Table 4 above are the recommended fee rates for the Bethel Island AOB. These represent a 20% to 70% decrease from the current fee schedule, depending on the land use. The current fee rates are higher because the project list included the high-cost Bethel Island Bridge replacement project. Federal funding, which was not initially anticipated in the Bethel Island Area of Benefit program budget, was secured and used to complete the bridge replacement project. The updated Nexus Study indicates that a decrease in financial obligation is justified for the developers' fair share contribution to the updated project list. Lowering the rates will encourage new development and will have a significant positive impact on the Bethel Island area.



Chapter

**10**

**Program Finance Considerations**

## **Other Funding Sources**

The improvements planned for the Bethel Island AOB will be only partially funded by Bethel Island AOB fee revenues. Other sources of funding, such as State or Federal aid, or local sources such as sales tax, gas tax, etc., will be pursued.

These other funding sources include, but are not limited to, Regional Measure J Funds, State Transportation Improvement Program (STIP) Funds, and Federal Program Funds.

The rate at which revenue is generated by the Bethel Island AOB Fee depends on the rate of new development. This rate of revenue generation affects the timing of construction of the improvement projects because it is dependent upon the total amount of fees collected, less expenditures. Alternate sources of funding would permit construction of AOB projects sooner.

## **Review of Fees**

Project cost estimates will be reviewed periodically while the Bethel Island AOB is in effect. On January 1 of each year thereafter, the amount of the fees will be increased or decreased based on the percentage change in the Engineering News Record Construction Cost Index for the San Francisco Bay Area for the 12-month period ending with the October index of the previous calendar year, without further action of the Board of Supervisors.

## **Collection of Fees**

Fees will be collected when a building permit is issued, in accordance with Section 913-4.204 of Title 9 (Subdivisions) of the Contra Costa County Ordinance Code. Fees collected will be deposited into an interest bearing trust fund established pursuant to Section 913-8.002 of the Contra Costa County Ordinance Code.



## **Interest on Fees**

The interest accrued on the fees collected shall continue to accumulate in the trust account and shall be expended for construction of the improvements, or to reimburse the County for the cost of constructing the improvements, pursuant to Section 913-8.006 of the County Ordinance Code.

## **Dedication in Lieu of Fee**

A development may be required to construct, or dedicate right-of-way for a portion of the improvements as a condition of approval. In such an event, the developer may be eligible to receive credit for the fee or reimbursement. The eligible credit and/or reimbursement shall be determined in accordance with the County's "Traffic Fee Credit and Reimbursement Policy."



## Exhibit

**A****Area of Benefit Boundary Legal Description****Boundary Description  
Bethel Island Area of Benefit**

A portion of northeastern Contra Costa County, State of California, bounded on the north by Sacramento County, on the East by San Joaquin County and described as follows:

Beginning at a point in the San Joaquin River at the northwestern prolongation of Dutch Slough, on the boundary common to Contra Costa and Sacramento Counties; thence northeasterly along said County boundary 65,000 feet more or less to the intersection with San Joaquin County at the confluence of the San Joaquin River and Mokelumne River; thence leaving Sacramento County southerly along the boundary common to Contra Costa and San Joaquin Counties 26,000 feet more or less to the confluence of Old River and Sandmound Slough; thence leaving said County boundary, southwesterly up Sandmound Slough 17,600 feet more or less to the confluence of Sandmound Slough and Dutch Slough; thence southerly continuing up Sandmound Slough 1,200 feet more or less to the southeast corner of Subdivision 6610 filed June 9, 1999 in Book 411 of Maps at page 14; thence leaving Sandmound Slough westerly along the southerly line of Subdivision 6610, North 88°18'38" West 900.00 feet to the southwest corner of said Subdivision: thence along said Subdivision, North 1°41'22" East 1706.00 feet to the northwest corner of said Subdivision being a point on the south line of Section 27, Township 2 North, Range 3 East, Mount Diablo Meridian; thence along said Section line, North 89°02'36" West 4379.93 feet to the corner common to Sections 27, 28, 33, 34, (T2N, R3E, MDM); thence along the south line of said Section 28, North 89°43' West 5289.8 feet to the corner common to Sections 28, 29, 32, 33 (T2N, R3E, MDM); thence along the east line of said Section 29, North 0°59'30" East 2657.40 feet to the northeast corner of the southeast quarter of said Section 29 in Cypress Road; thence North 89°16'12" West 2636.86 feet to the northwest corner of said southeast quarter; thence leaving Cypress Road and along the west line of said southeast quarter, South 0°35' West 2649.92 feet to the quarter corner common to Sections 29 and 32; thence along the south line of said Section 29, North 89°51'45" West, 2643.76 feet to the corner common to Sections 29, 30, 31, 32, (T2N, R3E, MDM); thence along the west line of said Section 29, North 0°44'15" East 2649.03 feet to the quarter corner common to Sections 29 and 30; thence continuing along said west line of Section 29, North 1°02'17" East 2638.77 feet to the corner common to Sections 19, 20, 29, 30, (T2N, R3E, MDM) being a point on the westerly boundary of Subdivision MS 28-85 filed December 12, 1985 in Book 120 of Parcel Maps at Page 16; thence along said westerly boundary the following courses: North 89°37'20" West 65.00 feet; thence North 15°41'47" West 736.17 feet; thence North 20°20'00" East 321.92 feet; thence North 14°12'47" West 77.60 feet; thence North 0°43'13" East 2725.00 feet; thence North 36°30'47" West 785.00 feet; thence North 27°17'13" East 223.60 feet; thence North 0°43'13" East 149.80 feet; thence North 28°58'47" West 201.50 feet to the northwest corner of said Subdivision MS 28-85, being in the center of Dutch Slough; thence northwesterly down Dutch Slough 17,500 feet to the point of beginning.

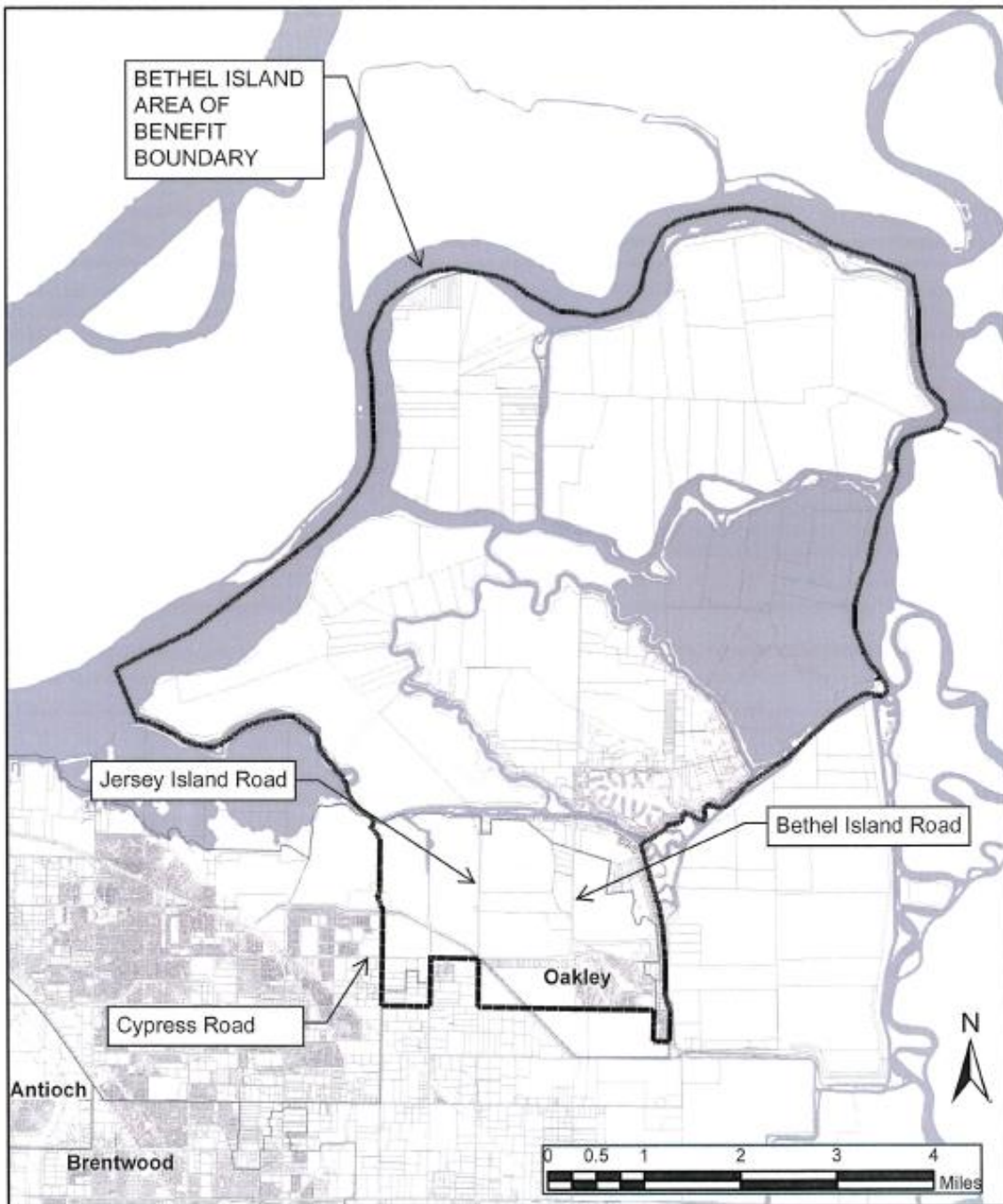




Exhibit

**B**

## Area of Benefit Boundary Plat Map



**BETHEL ISLAND AREA OF BENEFIT MAP**



Exhibit

**C**

## Road Improvement Plan – Project List

Allocation of Project Costs to Bethel Island AOB Program					
Roadway	Location	Recommended Project	Estimated Total Cost	Percent Allocated to AOB	Cost Allocated to AOB
Bethel Island Rd	Taylor Rd to Sandmound Blvd	Add bicycle and pedestrian improvements	\$544,000	57.3	\$311,712
Sandmound Blvd	Oakley City Limits to Mariner Rd	Add bicycle and pedestrian improvements	\$772,000	43.6	\$336,592
	Mariner Rd to Cypress Rd	Add bicycle and pedestrian improvements	\$2,629,000	43.2	\$1,135,728
Gateway Rd	Bethel Island Rd to Piper Rd	Add bicycle and pedestrian improvements	\$1,690,000	12.1	\$204,490
Piper Rd	Gateway Rd to Willow Rd	Add bicycle and pedestrian improvements	\$1,293,000	27.1	\$350,403
<b>Total</b>			<b>\$6,928,000</b>	<b>33.8%</b>	<b>\$2,338,925</b>
Source: DKS Associates, 2014					



Exhibit

**D**

Nexus Study

Bethel Island Area of Benefit

**Exhibit D**  
**Attached as separate document**

---

# **Nexus Study Bethel Island Area of Benefit**

Prepared By:



in association with Urban Economics

Prepared For:  
Contra Costa County  
Public Works Department

August 2016

# 1. Introduction

## 1.1 Background and Purpose

The purpose of the Bethel Island Area of Benefit (AOB) Program is to help fund improvements to the County's roadway, transit, bicycle, and pedestrian facilities needed to accommodate travel demand generated by new land development within the unincorporated portion of this AOB.

Contra Costa County has various methods for financing transportation improvements. One of the methods is the AOB Program. The AOB Program funds are collected from new development in the unincorporated portion of the AOB to finance a portion of the transportation improvements associated with travel demand generated by that development. Fees are differentiated by type of development in relationship to their relative impacts on the transportation system. The intent of the fee program is to provide an equitable means of ensuring that future development contributes its proportional share of the cost of transportation improvements, so that the County's General Plan Circulation policies and quality of life can be maintained.

One of the objectives of the County General Plan is to relate new development directly to the provision of community facilities necessary to serve that new development. Accordingly, there is a mechanism in place to provide the funding for the infrastructure necessary to serve that development. The Bethel Island AOB Program is a fee mechanism providing funds to construct transportation improvements to serve new residential, commercial and industrial development within the AOB. Requiring that all new development pay a transportation improvement fee will help ensure that it participates fairly in the cost of improving the transportation system. This Program applies only to new development within the unincorporated portions of the Bethel Island AOB.

Each new development project or expansion of an existing development will generate new travel demand for all travel modes. Where the existing transportation system is inadequate to meet future needs based on new development, improvements are required to meet the new demand. The purpose of this development program is to determine improvements that will ultimately be needed to serve estimated future development and to require new development to pay a fee to fund its proportional share of these improvements. Because the fee is based on the relative impact of new development on the transportation system and the costs of the necessary improvements to mitigate this impact, the fee amount is roughly proportional to the development impact. This Nexus Study documents the analytical approach for determining the nexus between the fees proposed to be imposed on new development the local impact of proposed development, and the transportation improvements to be funded with fee revenue.

## 1.2 Bethel Island AOB

The Countywide Area of Benefit was first adopted by the Board of Supervisors on March 15, 1988 with seven regions, each with its own fee schedule: West County, Central County, Lamorinda, Alamo, South County, East County, and Bethel Island. At the time, the County estimated a substantial growth potential for the Bethel Island AOB and the existing transportation system was inadequate to handle the additional traffic generated from the projected development. In 1993 the Area of Benefit program was reviewed.

The Bethel Island AOB has experienced changes in the area's development potential and circulation needs. First, in 2006, the City of Oakley annexed a large area south of Dutch Slough. Second, the County's 2005 General Plan includes policies that significantly limit potential residential development on Bethel Island until financing for the island's perimeter levee system can be assured. Since there is currently no financing plan or program in place, the County has estimated limited growth potential for the Bethel Island AOB.

The Bethel Island Road Bridge over Dutch Slough (one of the key Area of Benefit improvement projects), has been replaced with a new, widened structure. However, other AOB improvements to Cypress Road and Bethel Island Road have not been implemented.

The changes in development potential have prompted a revision to the Bethel Island AOB Program, resulting in a new project list and fee schedule.

The purpose of this Nexus Study is to provide the technical basis for a comprehensive update of the Bethel Island AOB Program. The focus of the updated program is to support an overall transportation system in the Bethel Island AOB that serves the expected future demand based on changes in regional and local land use projections, planned and approved development projects, and associated changes to capital improvements and updated cost estimates.

This Nexus Study documents the analytical approach for determining the nexus between the transportation fees proposed to be imposed on new development, the local impact created by anticipated development in the Bethel Island AOB, and the transportation improvements to be funded with fee revenues. A traffic and fair-share cost analysis was conducted to equitably distribute the costs of the necessary transportation improvements to developments that cause the impacts, in accordance with the provisions of the Mitigation Fee Act.<sup>1</sup> The most up-to-date versions of the analytical tools and techniques available at the time this study commenced were used to ensure the highest level of consistency with current information and practices.

The Bethel Island AOB boundary, which was established in 1985, is shown in **Figure 1**. The area within the boundary includes a portion of the City of Oakley. However, fees will only be collected within the unincorporated portions of the AOB and will only fund projects within the unincorporated portions of the AOB.

## 2. Evaluation of Current AOB Program

The current Bethel Island AOB Program was last updated in 1993. The current Bethel Island AOB Program project list, shown in **Table 1**, has four projects, which were estimated in 1993 to cost about \$9.2 million, with about \$8.8 million to be funded by the AOB Program. This 2015 update of the Bethel Island AOB Program has included a new needs analysis to update this project list along with new project cost estimates, which are described in Sections 3, 4 and 5 of this Nexus Study.

The current AOB Program uses “peak hour factors” to allocate trips by land use types based on Institute of Transportation Engineers (ITE) trip generation rate estimates for the evening (PM) peak hour. However, ITE trip rates only reflect the amount of traffic coming in and out of development’s entrances, not the extent of the roadway system that is impacted by those trips. This Nexus Study refines this approach to reflect current best practices for impact fee programs when estimating the impact of new development on the transportation system.

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<sup>1</sup> California Government Code, Sections 66000 through 66026.





Table 1 1993 Project List for Bethel Island AOB Program		
Roadway	Project Description	Estimated Project Cost (1993 Dollars)
1 Bethel Island Road	Widen to four lane arterial standard from Cypress Road to Gateway Road including realignment of curve and construction of new bridge	\$6,000,000
2 Bethel Island Road	Install signal at Sandmound Boulevard	\$100,000
3 Cypress Road	Construct new two lane arterial from Bethel Island Road to Sandmound Boulevard.	\$600,000
4 Cypress Road	Widen to four lane arterial standard from Highway 4 to Bethel Island Road with grade separation at AT&SF and signal at Highway 4	\$2,500,000
<b>Total</b>		<b>\$9,200,000</b>
Source: Development Program Report for Bethel Island AOB, 1993		

For example, simple trip rates over-estimate the traffic impact of retail development on the overall roadway system. The average length of trips coming in and out of a new residential development is longer than trips coming in and out of a retail development. Furthermore, studies show that about 25 to 50 percent of the trips that will go in and out of a new retail development will already be traveling on roadways near that development, and thus are “pass-by” or “diverted” trips, not “new trips” to the surrounding roadway system. All of the trips going to and from a new residential unit are “new trips”

To integrate best practices, the updated Bethel Island AOB Program will instead use estimates of vehicle-miles of travel (VMT) added by new development. The VMT rates multiply the trip rate for a land use type by its average trip length and also use percentages to reflect “pass-by trips” versus “new trips.” The calculation of fee rates based on this methodology is discussed in Section 4 of this study.

### 3. Determination of AOB Development Potential

The transportation needs analysis and allocation of transportation improvement costs for the Bethel Island AOB is based on the countywide travel demand model developed by the Contra Costa Transportation Agency (CCTA) using a 2040 horizon year. The calculation of fees is based on the following general land use categories and associated measurement units that are used as a basis for the land use inputs in CCTA’s travel demand model:

<u>Land Use Type</u>	<u>Units</u>
Single-Family	Dwelling units (DU)
Multi-Family	Dwelling units (DU)
Commercial/Retail	Jobs
Office	Jobs
Industrial	Jobs

CCTA’s latest land use estimates of existing conditions and 2040 forecasts of new development by Traffic Analysis Zones (TAZs) in the AOB were summarized and reviewed with County Planning



(Department of Conservation and Development) staff. The County Planning staff determined that CCTA's 2040 forecasts varies from the County General Plan policies for the Bethel Island area, and, importantly, new state laws establishing higher standards for local jurisdictions to approve urban development behind levee systems.

The County's 2005 General Plan includes policies that significantly limit potential residential development on Bethel Island until financing for the island's perimeter levee system can be assured. There is no financing plan or program in place to provide for improvements to the perimeter levee needed to enable additional residential density on the island. Coupled with uncertainty about how and when the island's perimeter levee improvement would occur with the changes in state laws regarding urban development in areas protected from flood by levees, significant downward adjustments in the growth forecasts were needed. The County has indicated that it is reasonable to assume that both the Delta Coves project and the Coronado Village project could be developed by 2040.

The County's estimates of the development potential for the AOB are summarized in **Table 2**. The table shows estimates of jobs for nonresidential land uses according to CCTA's model. It also applies estimates of square footage per employee to estimate the growth in building square feet, which are used in the AOB fee program.

Table 2 Summary of Estimated 2010 to 2040 Development Growth Bethel Island Area of Benefit										
Land Use Category	Units	Unincorporated Portion of AOB			City of Oakley Portion of AOB			Total AOB		
		2010	2040	Growth	2010	2040	Growth	2010	2040	Growth
Single-Family	DU	846	1,665	819	313	1,468	1,155	1,159	3,133	1,974
Multi-family	DU	622	692	70	47	57	10	669	749	80
<b>Total</b>	<b>DU</b>	<b>1,468</b>	<b>2,357</b>	<b>889</b>	<b>360</b>	<b>1,525</b>	<b>1,165</b>	<b>1,828</b>	<b>3,882</b>	<b>2,054</b>
Retail	Jobs	48	241	193	0	7	7	48	248	200
Office	Jobs	230	620	390	11	260	249	241	880	639
Industrial	Jobs	64	117	53	32	170	138	96	287	191
<b>Total</b>	<b>Jobs</b>	<b>342</b>	<b>978</b>	<b>636</b>	<b>43</b>	<b>437</b>	<b>394</b>	<b>385</b>	<b>1,415</b>	<b>1,030</b>
Retail	1,000 sq. ft.	24.0	120.7	96.7	0.0	3.5	3.5	24.0	124.2	100.2
Office	1,000 sq. ft.	63.3	170.5	107.3	3.0	71.5	68.5	66.3	242.0	175.7
Industrial	1,000 sq. ft.	38.4	70.2	31.8	19.2	102	82.8	57.6	172.2	114.6
<b>Total</b>	<b>1,000 sq. ft.</b>	<b>125.7</b>	<b>361.4</b>	<b>235.8</b>	<b>22.2</b>	<b>177.0</b>	<b>154.8</b>	<b>147.9</b>	<b>538.4</b>	<b>390.5</b>
<b>Notes:</b>										
<sup>1</sup> See Figure 1 for AOB Boundary and portion within City of Oakley								<b>Assumed Square Feet per Job</b>		
<b>Land Use</b>										
Retail								500		
Office								275		
Industrial								600		
Source: DKS Associates, 2013										

## 4. Transportation Needs Analysis

Defining the transportation needs and project list for the Bethel Island AOB involved the following steps:

1. Collecting traffic count data (intersections and roadway segments)
2. Identifying existing deficiencies, including level of service (LOS) and roadway standard deficiencies
3. Preparing travel demand forecasts of 2040 conditions
4. Conducting transportation system analysis to identify improvement needs
5. Identifying pedestrian and bicycle facilities/improvements
6. Preparing a draft Bethel Island AOB project list
7. Presenting analysis and findings at the Bethel Island Municipal Advisory Council (MAC) meetings to obtain input on the draft project list.
8. Finalizing project list

The key technical tasks used to determine the transportation improvements needed to accommodate new development within the Bethel Island AOB and select a project list are described in Sections 4.1 through 4.8 below.

### 4.1 Traffic Count Data

Traffic count data is required to determine existing deficiencies and to support the future year roadway/intersection needs analysis. Traffic counts were collected on weekdays in March 2013 on major roadway segments within the AOB (see **Table 3**).

### 4.2 Existing Deficiencies

The technical methods and standards used to identify the impact of new development on roadway and intersection vehicular congestion are described in Section 4.4 below. The same methods and standards are used to identify existing deficiencies in the roadway network. When an existing deficiency is identified, it affects how the cost of an improvement is allocated to new development. New development can only fund its fair share of the total cost of an improvement not associated with correcting an existing deficiency (see Section 6).

### 4.3 Travel Demand Forecasting

The transportation needs analysis and allocation of improvement costs were based on CCTA's travel demand model using a 2040 horizon year and the development assumptions summarized in Table 2. Before its use, the output of the CCTA travel demand model for existing conditions was compared to existing traffic count data in the AOB area and some adjustments were made to the model within and near the AOB to improve its accuracy and detail.

### 4.4 Roadway System Analysis

This section describes the analysis used to determine the roadway improvements needed to accommodate new development within the AOB.

#### **Signal Warrants**

Traffic signal warrants are a series of standards that provide guidelines for determining if a traffic signal is appropriate. A planning-level signal warrant analysis based on traffic volumes was conducted to determine if the traffic signals would be warranted at the following intersections under existing and future (2040) conditions:

Table 3  
Roadway Segment Level of Service Analysis  
Bethel Island Area of Benefit

Roadway	From	To	2013			2040			Comments
			Lanes	Daily Volume	LOS	Lanes	Daily Volume	LOS	
Bethel Island Road	Sandmound Blvd	Taylor Rd	2	4,270	A	2	9,990	A	2040 LOS assumes current roadway geometry
	Taylor Rd	Sandy Ln	4	4,740	A	4	5,990	A	
	Sandy Ln	Gateway Rd	4	3,790	A	4	4,900	A	
	Gateway Rd	W Willow Rd	2	250	A	2	560	A	
Sandmound Boulevard	Holland Tract Rd	E Cypress Rd	2	180	A	2	180	A	
	E Cypress Rd	Mariner Rd	2	630	A	2	1,110	A	
	Mariner Rd	Bethel Island Rd	2	1,100	A	2	1,950	A	
Gateway Rd	Bethel Island Rd	Piper Rd	2	5,900	A	2	6,710	A	
	Piper Rd	Riverview/N Stone Rd	2	860	A	2	860	A	
Piper Rd	Gateway Rd	N/S Willow Rd	2	1,880	A	2	2,580	A	
LOS highlighted in <b>bold</b> does not meet County’s standard									
Traffic volumes on roadway segments highlighted in <b>grey</b> warrant shoulder or sidewalk improvements to meet County standards									
Source: DKS Associates, 2013									

- Bethel Island Road and Sandmound Boulevard
- Bethel Island Road and Gateway Road
- Gateway Road and Piper Rd

The analysis indicated that none of these major intersections within the unincorporated portion of the AOB would warrant signals

### **Level of Service**

The needs analysis for the AOB Program used the level of service (LOS) standards in the County's General Plan, which has different standards for different areas, based on land use types. In the Bethel Island Area, LOS D or better conditions are considered acceptable while LOS E or F conditions are considered unacceptable. The relatively low existing and projected 2040 traffic volumes would not result in unacceptable LOS at intersections within the unincorporated portion of the AOB. Roadway segment LOS analysis compares traffic levels with roadway segment capacities determined by the number of travel lanes and the roadway type. The roadway segment LOS analysis is summarized in **Table 3** as well as **Figures 2 and 3**

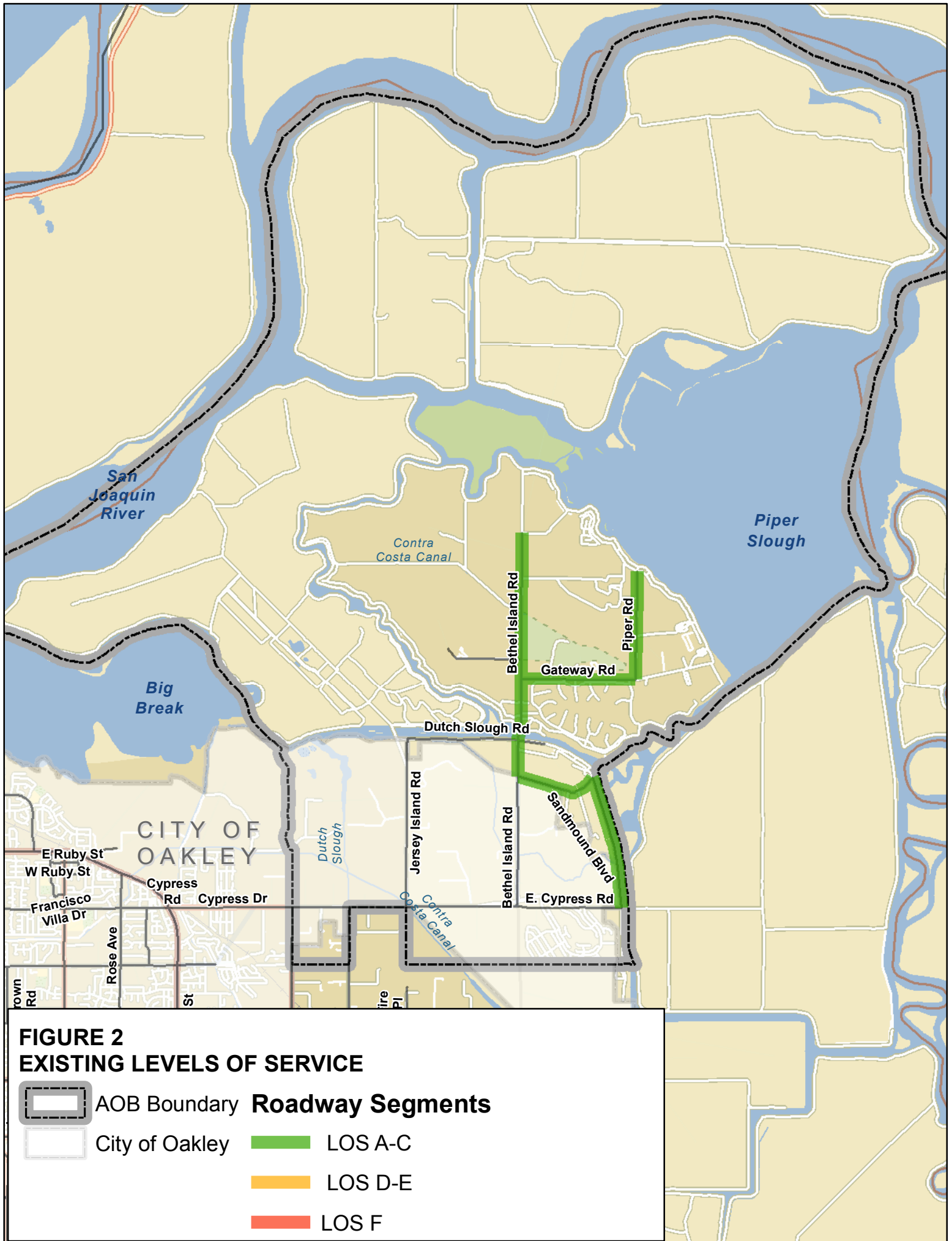
### **Roadway Pavement Width Standards**

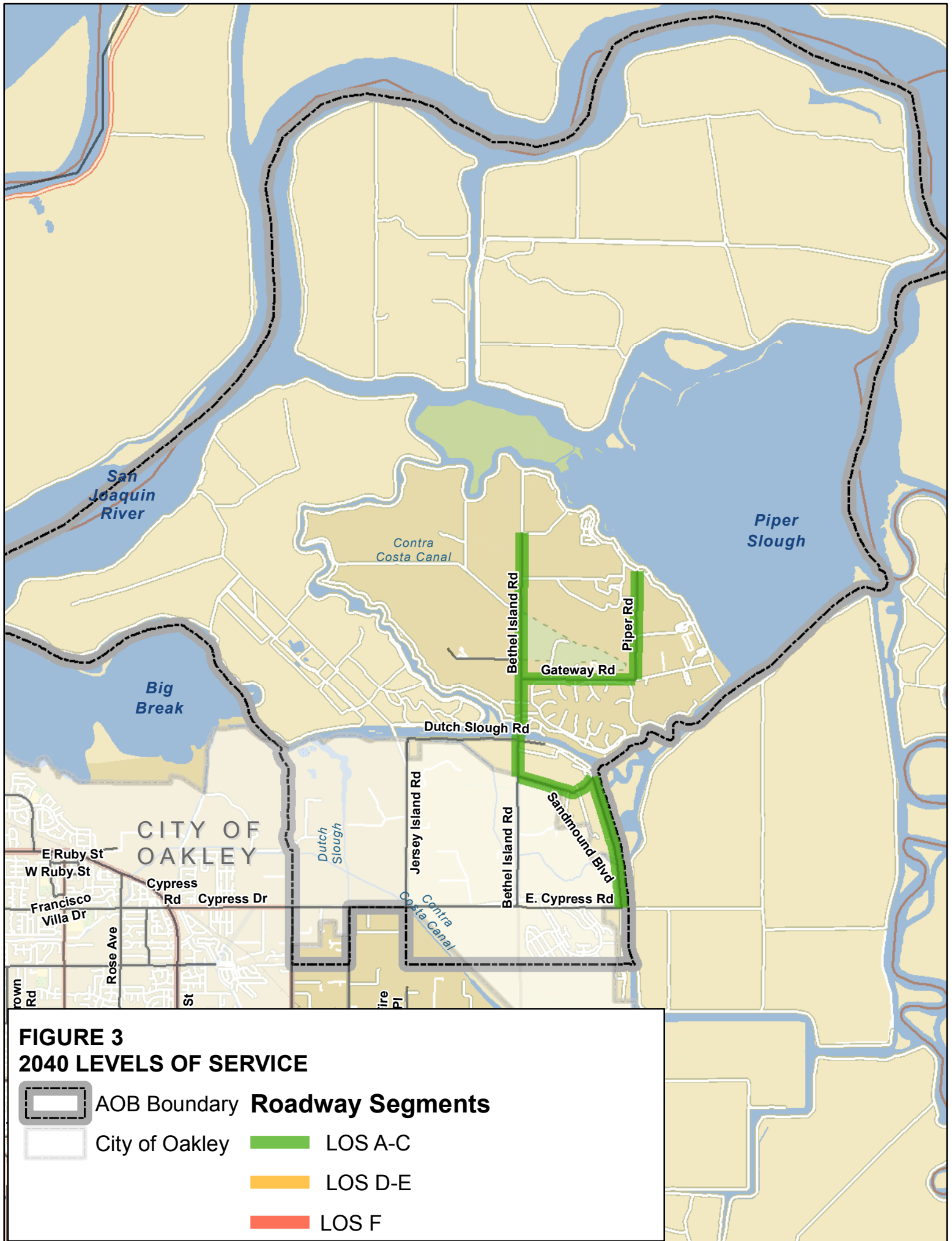
Many of the County's two-lane roads within the Bethel Island AOB will not have LOS problems but volume increases on narrow roads within the AOB is a safety issue that should be addressed in the AOB Program. Providing adequate roadway width, including the addition of shoulders to two-lane roadways would increase the safety as traffic increases and they would provide a bicycle lane/walkway. The Federal Highway Administration (FHWA) recommends that rural roadways that carry more than 2,000 average daily traffic (ADT) should have 5 to 6 foot wide shoulders. Contra Costa County's standards for two-lane roadways, shown in **Table 4**, call for shoulders on roadways with more than 1,000 ADT.

<b>Table 4</b> <b>Two Lane Rural Shoulder/Lane Widths</b> <b>Contra Costa County Public Works Department Standard Plans</b>			
<b>Average Daily Traffic</b>	<b>Shoulder Backing (ft.)</b>	<b>Shoulder (ft.)</b>	<b>Lane (ft.)</b>
< 250	0	1	11
< 400	2	1	11
< 1,000	2	4	12
< 3,000	2	5	12
< 6,000	2	6	12
> 6,000	0	8	12
Source: Contra Costa County Public Works Department Standard Plans, 2008			

### **4.5 Transit and Pedestrian/Bicycle Needs Analysis**

New development also has impacts on roadway design that are not accommodated by increases in vehicle capacity and improvements to enhance vehicle safety. New development generates non-vehicular trips (bicycle and pedestrian) that are accommodated by improving roadway shoulders to provide bicycle lanes and pedestrian walkways. On roadways that require improvements based on the roadway/intersection analysis described above bicycle and pedestrian facilities will be implemented to the extent that they are represented in the County's current standard roadway designs. Transit, bicycle, and pedestrian improvements may also reduce vehicular congestion by shifting trips from autos to these alternative modes.







#### 4.6 Draft AOB Project List

A draft list of capital improvements to the transportation system in the AOB Program was prepared.

The improvements selected for the project list involved upgrading several two lane roadways to County design standards, which would add shoulders to improve safety and provide bicycle lanes and pedestrian walkways.

#### 4.7 Presenting Findings at MAC Meetings

The draft project list was presented to the Bethel Island Municipal Advisory Council (MAC) who supported the list as shown in **Table 5** and **Figure 4**.

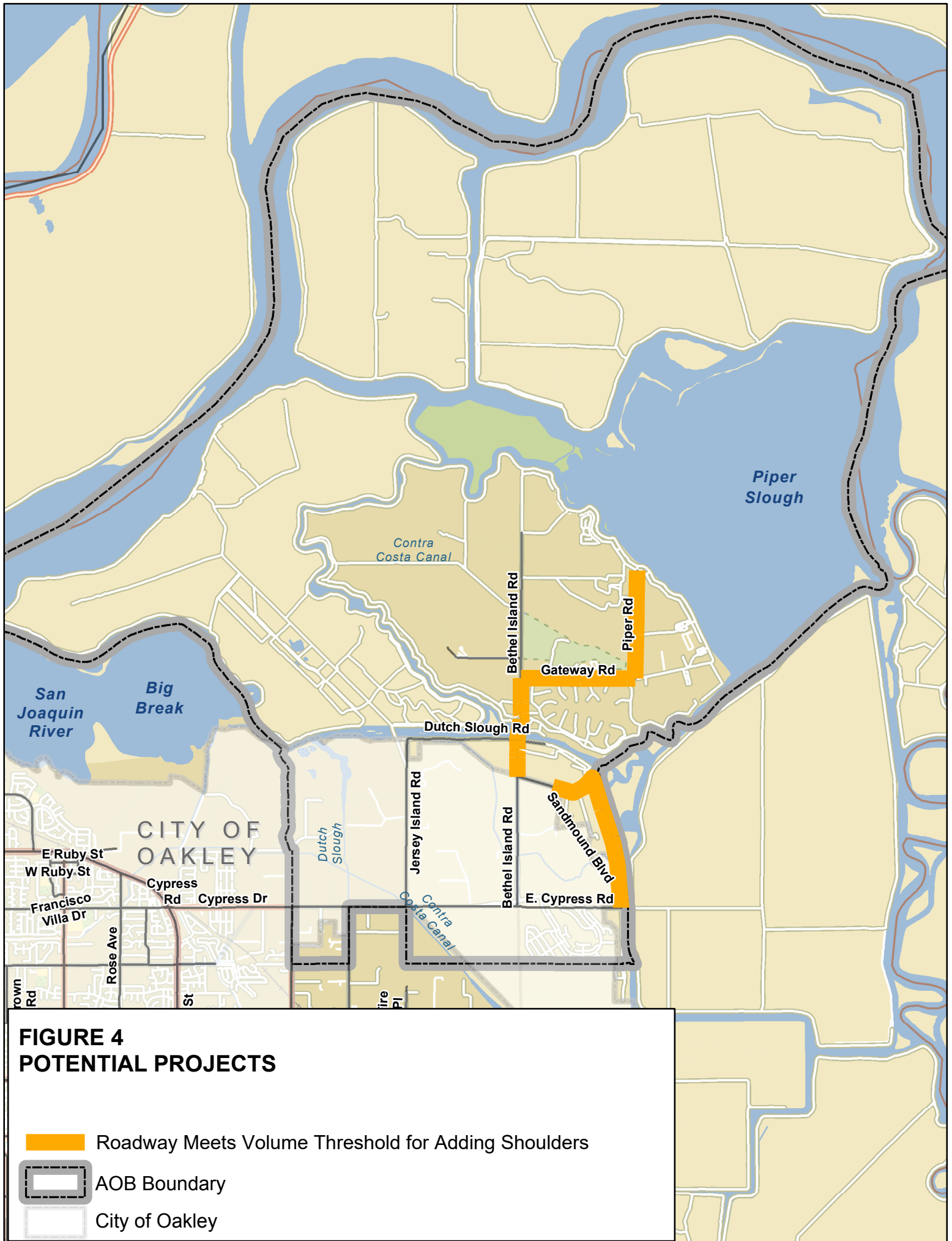
#### 4.8 Finalize AOB Project List

The final AOB project list below incorporates refinements suggested by the MAC.

Table 5 Selected Bethel Island AOB Project List							
Roadway	Location	Existing Conditions			2040 Conditions		Recommended Project
		Daily Volume	LOS	Deficiency	Daily Volume	LOS	
Bethel Island Rd	Taylor Rd to Sandmound Blvd	4,270	A	Design	9,990	A	Add bicycle and pedestrian improvements
Sandmound Blvd	Oakley City Limits to Mariner Rd	1,100	A	Design	1,950	A	Add bicycle and pedestrian improvements
	Mariner Rd to Cypress Rd	630	A	Design	1,110	A	Add bicycle and pedestrian improvements
Gateway Rd	Bethel Island Rd to Piper Rd	5,900	A	Design	6,710	A	Add bicycle and pedestrian improvements
Piper Rd	Gateway Rd to Willow Rd	1,880	A	Design	2,580	A	Add bicycle and pedestrian improvements
Project list approved by Bethel Island Municipal Advisory Council (MAC)							
Source: DKS Associates, 2013							

### 5. Improvement Cost Estimates

Planning-level cost estimates were prepared for the selected AOB projects in Table 5 based on conceptual designs for each project. The estimates for roadway segment improvements are based on implementing the County's design standards (for roadway cross-sections) by facility type and number of lanes. The cost estimates reflect the known issues, such as creek crossings, relocation of major known utilities, etc. Typical excavation quantities were used except in areas where significant excavation was identified. The cost estimating does not have geotechnical or survey support information. Thus unknowns (such as rock excavation, removal of unsuitable material, relocation of unseen utilities, etc.) were assumed in a project contingency percentage.





The cost estimates include the following appropriate percentages that are key elements in the implementation of each project:

- Project contingencies,
- Survey, design and construction management,
- Environmental mitigation,
- Right-of-way acquisition.

The cost estimates for each of the selected projects for funding by the Bethel Island AOB, shown in **Table 5** are provided in **Appendix A**.

## 6. Basis for Allocating Costs to New Development

This section describes the process used to allocate improvement costs to new development in the Bethel Island AOB and the estimated development fees that result from this analysis.

The allocation of costs of roadway and intersection improvements in the AOB is based on answering the following questions:

- Is there an existing deficiency?
- Would the improvement project be required without new development?
- Who uses the roadway/intersection?

The allocation of costs is based on estimates of who will use, through 2040, the roadways or intersections that require improvements. This allocation of improvement costs is based on the percentage of trips from 1) existing development, 2) new development in the AOB, and 3) new development outside the AOB (referred to as “through traffic”). An increase in through traffic represents an increase in trips that both start and end outside the AOB and pass through the AOB. **Table 6** summarizes the estimated percentages for the selected AOB project list. The methods used to allocate costs are described below.

### 6.1 Improvements to Meet County LOS Standards

No improvements are needed to address LOS impacts (either intersection or roadway LOS) in the Bethel Island AOB

### 6.2 Widening to meet Roadway Pavement Width Standards

Costs to improve a roadway to County cross-section standards are allocated using one of the following methods:

- For a roadway segment that is currently below the traffic volume thresholds shown in Table 5 but would exceed those thresholds by 2040, the entire cost of improving that segment to the County standard will be allocated to new development. This method did not apply to any of the selected projects on the Bethel Island project list.
- For a roadway segment that currently has a traffic volume above the volume thresholds in Table 5 and does not meet the County’s applicable cross-section standards (an existing deficiency), the percent cost share for new development in the AOB is equal to the number of new trips on a roadway segment that have either their origin or destination within the AOB divided by all trips on that roadway, both from existing and new development. This method was used for improvements on Bethel Island Road, Gateway Road and Piper Road, as well as on improvements along Sandmound Boulevard between the Oakley City limits and Mariner Rd.

**Table 6**  
**Cost Allocation Analysis for Bethel Island AOB Project List**

Roadway	Location	Recommended Project	Existing Conditions			2040 Conditions		Percent of 2040 Total Volume			Percent of 2013 to 2040 Growth		Percent Allocated to AOB
			Daily Volume	LOS	Deficiency	Daily Volume	LOS	Existing	Growth		Local	Through	
Bethel Island Rd	Taylor Rd to Sandmound Blvd	Add bicycle and pedestrian improvements	4,270	A	Design	9,990	A	42.7	57.3	0	100	0	57.3
Sandmound Blvd	Oakley City Limits to Mariner Rd	Add bicycle and pedestrian improvements	1,100	A	Design	1,950	A	56.4	43.6	0	100	0	43.6
	Mariner Rd to Cypress Rd	Add bicycle and pedestrian improvements	630	A		1,110	A	56.8	43.2	0	100	0	43.2
Gateway Rd	Bethel Island Rd to Piper Rd	Add bicycle and pedestrian improvements	5,900	A	Design	6,710	A	87.9	12.1	0	100	0	12.1
Piper Rd	Gateway Rd to Willow Rd	Add bicycle and pedestrian improvements	1,880	A	Design	2,580	A	72.9	27.1	0	100	0	27.1

Percentages were estimated using Contra Costa Transportation Authority's (CCTA) travel demand model with the growth estimates summarized in Table 2  
Percent allocated to AOB is based on percentage shaded in grey

Source: DKS Associates, 2013

### 6.3 Bikeway and Walkway Improvements

For projects that focus on bicycle and pedestrian safety, the improvements will benefit both existing and future residents and the cost allocated to new development will equal new development's proportional share of the total future traffic volumes on those roadways. This method was used for improvements on Sandmound Boulevard between Mariner Rd and Cypress Rd

### 6.4 Summary of Cost Allocation

**Table 7** summarizes the allocation of the cost for each of the selected projects that will have funding from the Bethel Island AOB Program.

Roadway	Location	Recommended Project	Estimated Total Cost	Percent Allocated to AOB	Cost Allocated to AOB
Bethel Island Rd	Taylor Rd to Sandmound Blvd	Add bicycle and pedestrian improvements	\$544,000	57.3	\$311,712
Sandmound Blvd	Oakley City Limits to Mariner Rd	Add bicycle and pedestrian improvements	\$772,000	43.6	\$336,592
	Mariner Rd to Cypress Rd	Add bicycle and pedestrian improvements	\$2,629,000	43.2	\$1,135,728
Gateway Rd	Bethel Island Rd to Piper Rd	Add bicycle and pedestrian improvements	\$1,690,000	12.1	\$204,490
Piper Rd	Gateway Rd to Willow Rd	Add bicycle and pedestrian improvements	\$1,293,000	27.1	\$350,403
<b>Total</b>			<b>\$6,928,000</b>	<b>33.8%</b>	<b>\$2,338,925</b>
Source: DKS Associates, 2014					

The County has various methods for funding the transportation improvements within the Bethel Island AOB boundary. While the AOB fee program is one method, additional funding will be obtained from Federal, State and local grants (such as the Active Transportation Program, Safe Routes to School, Bicycle transportation Account, etc.). On an on-going basis, the County will assess the unconstructed projects on the AOB project list and define priorities. As enough funding is available from all sources to implement "priority" projects, the County will implement those projects.

## 7. Method for Calculating Fees

### Land Use Categories

The calculation of fees for the AOB Program Updates will be based on the general land use categories that can be derived for all areas of the County from CCTA's travel demand model. These general categories are the following:

<u>Land Use Type</u>	<u>Units</u>
Single-Family	Dwelling units (DU)
Multi-Family	Dwelling units (DU)
Commercial/Retail	Square feet
Office	Square feet
Industrial	Square feet

### Dwelling Unit Equivalents

In the allocation of costs to various types of development, each development type will be assigned a "dwelling unit equivalent" or "DUE" rate. DUEs are numerical measures of how the trip-generation characteristics of a land use compare to the trip generation of a typical single-family residential unit, which is assigned a DUE of 1. Land uses that have greater overall traffic impacts than a typical single-family residential unit are assigned due values greater than 1, while land uses with lower overall traffic impacts are assigned due values less than 1.

DUEs are developed by comparing both the trip-generation and trip-length characteristics of various land uses to those of a typical single-family residential unit. Since roadway needs are primarily based on traffic flows and conditions during the PM peak hour on an average weekday, the DUEs reflect the relative trip generation for the PM peak hour. Also considered in the calculation of DUEs are "percent new" trips, since some of the vehicles attracted to non-residential land uses would have been on the roadway system regardless of the presence of the trip generator. Average trip lengths for the remaining "primary" trips generated by a development are then utilized to better reflect overall impact of longer trips on the County's roadway system.

The DUE rates will thus be based on estimates of the average vehicle-miles of travel (VMT) generated during the PM peak hour for each general land use type. The DUE rates used to estimate the AOB fees are shown in **Table 8**. For example, one square foot of office development is estimated to have a traffic impact on the roadway system which is 0.00142 times that of a typical single-family residential unit.

Table 8 Dwelling Unit Equivalent (DUE) Rates						
Land Use Category	PM Peak Hour Trip Rate per Unit <sup>1</sup>	Unit	Trip Length (miles) <sup>2</sup>	Percent New trips <sup>2</sup>	VMT per Unit	DUE per Unit
Singe Family	1.01	Dwelling Unit	5.0	100	5.050	1.00
Multi-Family	0.62		5.0	100	3.100	0.61
Retail	4.10	Square Feet	2.3	76	7.167	0.00142
Office	1.40		4.5	92	5.796	0.00115
Industrial	0.98		5.1	92	4.598	0.00091
<sup>1</sup> ITE Trip Generation 7th Edition <sup>2</sup> ITE Journal, May 1992 Source: DKS Associates, 2013						

### **Fee Calculation**

The cost per DUE (i.e. cost for a typical single-family dwelling unit) is calculated by dividing the total costs allocated to new development in the AOB (methods described above) by the total growth in DUEs in the AOB by 2040 (see **Table 9**). The cost for each land use type is then based on its DUE rate. The nexus-based fee rates are shown in **Table 10**.

Table 9 Growth in DUEs				
Land Use Category	Unit	Growth in Units <sup>1</sup>	DUE per Unit	Growth in DUEs
Singe Family	Dwelling Unit	819	1.00	819.0
Multi-Family		70	0.61	42.7
Retail	Square Feet	96,700	0.00142	137.3
Office		107,300	0.00115	123.4
Industrial		31,800	0.00091	28.9
				1,151.3
<sup>1</sup> See Table 2: "Summary of Estimated Development 2010 to 2040 Growth"				
Source: DKS Associates, 2013				

Table 10 Nexus-Based Fee Rates for Bethel Island AOB			
Cost of Improvements Allocated to AOB Growth			\$2,338,925
Current AOB Fund Balance			\$477,000
Unfunded Costs of Improvements Allocated to AOB Growth			\$1,861,925
Growth in Dwelling Unit Equivalents (DUE's)			1,151.3
Cost per DUE			\$1,617
Land Use	Units	DUE per Unit	Fee per Unit
Single Family	Dwelling Unit	1.00	\$1,617
Multi-Family	Dwelling Unit	0.61	\$986
Retail	Square Foot	0.00142	\$2.30
Office	Square Foot	0.00115	\$1.86
Industrial	Square Foot	0.00091	\$1.47
Other	Dwelling Unit Equivalent	1.00	\$1,617
<sup>1</sup> Fee per Unit = (Cost per DUE) x (DUE per Unit)			
Source: DKS Associates, 2014			

## **8. Nexus Analysis**

A nexus analysis has been prepared for the Bethel Island AOB Program in accordance with the procedural guidelines established in AB1600 which is codified in California Government Section 66000 *et seq.* These statutes set for the procedural requirements for establishing and collecting various development

impact fees. These procedures require that “a reasonable relationship or nexus must exist between a governmental exaction and the purpose of the condition.” Specifically, each local agency imposing a fee must:

- Identify the purpose of the fee;
- Identify how the fee is to be used;
- Determine how a reasonable relationship exists between the fee’s use and the type of development project on which the fee is imposed.
- Determine how a reasonable relationship exists between the need for the public facility and the type of development project on which the fee is imposed; and,
- Demonstrate a reasonable relationship between the amount of the fee and the cost of public facility or the portion of the public facility attributable to the development on which the fee is imposed.

### **8.1 Purpose of fee**

The purpose of the Bethel Island AOB Program is to fund improvements to the County’s major roadway, transit, bicycle and pedestrian facilities needed to accommodate travel demand generated by new land development in the unincorporated portion of Bethel Island AOB through 2040.

The Bethel Island AOB Program will help meet the County’s General Plan policies, including maintenance of adequate levels of service and safety for roadway facilities. New development in the unincorporated portions of the Bethel Island AOB will increase the demand for all modes of travel (including walking, biking, transit, automobile and truck/goods movement), and, thus, the need for improvements to transportation facilities. The Bethel Island AOB Program will help fund transportation facilities necessary to accommodate new residential and non-residential development in the unincorporated portions of the Bethel Island AOB.

### **8.2 Use of Fees**

The fees from new development in the Bethel Island AOB Program will be used to fund additions and improvements to the transportation system needed to accommodate future travel demand resulting from residential and non-residential development within the Bethel Island AOB. The Bethel Island AOB Program will help fund improvements to roadways, including the provision of shoulders, providing bikeways and walkways plus fee program administration costs. The transportation improvements wholly or partially funded by the program are described in more detail in **Section 4**.

### **8.3 Relationship between use of Fees and Type of Development**

Fee revenues generated by the Bethel Island AOB Program will be used to develop the transportation improvements described in **Section 4**. All of these improvements increase the capacity, improve the safety, or facilitate the use of alternative modes (transit, bicycle, pedestrian) on those segments of the transportation system affected by new development. The results of the transportation modeling analysis summarized in this report demonstrate that these improvements either mitigate impacts from, and/or provide benefits to, new development.

### **8.4 Relationship between Need for Facility and Type of Development**

The projected residential and non-residential development described in **Section 3** will add to the incremental need for transportation facilities by increasing the amount of demand on the transportation system. The transportation analysis presented in **Section 4** demonstrates that improvements are required

to minimize the negative impact on current levels of service caused by new development and/or accommodate the increased need for alternative transportation modes (transit, bicycle, pedestrian).

### **8.5 Relationship between Amount of Fees and the Cost of Facility Attributed to Development upon which Fee is Imposed**

The basis for allocating improvement costs to development is described in **Section 6**. Construction of necessary transportation improvements will directly serve residential and non-residential development within the unincorporated portions of the AOB and will directly benefit development in those areas.

New development within the AOB is allocated a percentage of improvement costs based on the number of new trips on a roadway segment or intersection that have either their origin or destination within the AOB divided by the total amount of trips from all development. The remaining percent of costs, reflecting new trips that have neither their origin nor destination in the AOB (through trips), are not allocated to development in the AOB. For facilities that have an “existing deficiency”, the cost of the improvement that is allocated to the Bethel Island AOB Program is modified to account for that deficiency.

The fee that a developer pays for a new residential unit or commercial building varies by the type of development based on its impact on the transportation system. Each development type is assigned a “dwelling unit equivalent” or “DUE” rate based on its estimated vehicle-miles of travel (VMT) per unit of development.

DUE are numerical measures of how the trip-generation characteristics of a land use compare to a single-family residential unit. DUE were developed by comparing both the trip generation and trip length characteristics of various land uses to those of the single-family residential units. Since roadway needs are primarily based on traffic flows and conditions during the peak hour on an average weekday, the DUE reflect the relative trip generation for the peak hour. Also considered in the calculation of DUE are “percent new” trips. The DUE rates were thus based on estimates of the average vehicle-miles of travel (VMT) generated during the peak hour for each general land use type.

### **8.6 Current AOB Fund Balance**

As of March 2015 the Bethel Island AOB had a fund balance of about \$477,000. The fees collected were intended to fund the four projects on the list developed in 1993 (see Table 1). Two of the projects on that 1993 list are located on Cypress Road and are not included in the new 2015 project list (see Table 5) because those roadways were annexed to the City of Oakley.

The 1993 project list (see Table 1) includes the widening of a segment of Bethel Island Road and improvements at the Sandmound Road/Bethel Island intersection, which overlap two improvement projects on the new 2015 list. The costs allocated to the Bethel Island AOB for the projects on those roadway segments (see Table 7) exceed the current fund balance of the Bethel Island AOB. Thus the current fund balance will be used to fund the new 2015 project list.

**Appendix A**  
**Cost Estimates for Selected Projects in Bethel Island AOB**





**Bethel Island Area of Benefit  
Engineers Estimate Summary**

Project	Roadway	Location	Item Description	Total Cost
1	Bethel Island Road	Bethel Island Rd from Taylor Rd to Sandmound Blvd	Project will construct 8' shoulders along both sides of Bethel Island Road to bring the roadway up to County standards and provide bicycle and pedestrian improvements.	\$544,000
2.1	Sandmound Boulevard	Sandmound Blvd from Oakley City Limits to Mariner Rd	Project work includes widening Sandmound Boulevard to County standards and provide bicycle and pedestrian improvements. Travel lanes will be widened from 10' to 12', and 5' shoulders with 2' of shoulder backing will also be constructed.	\$772,000
2.2	Sandmound Boulevard	Sandmound Blvd from Mariner Rd to Cypress Rd	Project work includes widening Sandmound Boulevard to County standards and provide bicycle and pedestrian improvements. Travel lanes will be widened from 9' to 12', and 5' shoulders with 2' of shoulder backing will also be constructed.	\$2,629,000
3	Gateway Road	Gateway Rd from Bethel Island Rd to Piper Rd	Project work includes widening Gateway Road to County standards and provide bicycle and pedestrian improvements. Travel lanes will be widened from 10' to 12', and 8' shoulders will be constructed along both sides of the roadway.	\$1,690,000
4	Piper Road	Piper Rd from Gateway Rd to Willow Rd	Project work includes widening Piper Road to County standards and provide bicycle and pedestrian improvements. Travel lanes will be widened from 10' to 12', and 5' shoulders with 2' of shoulder backing will also be constructed.	\$1,293,000
<b>Total</b>				<b>\$6,928,000</b>

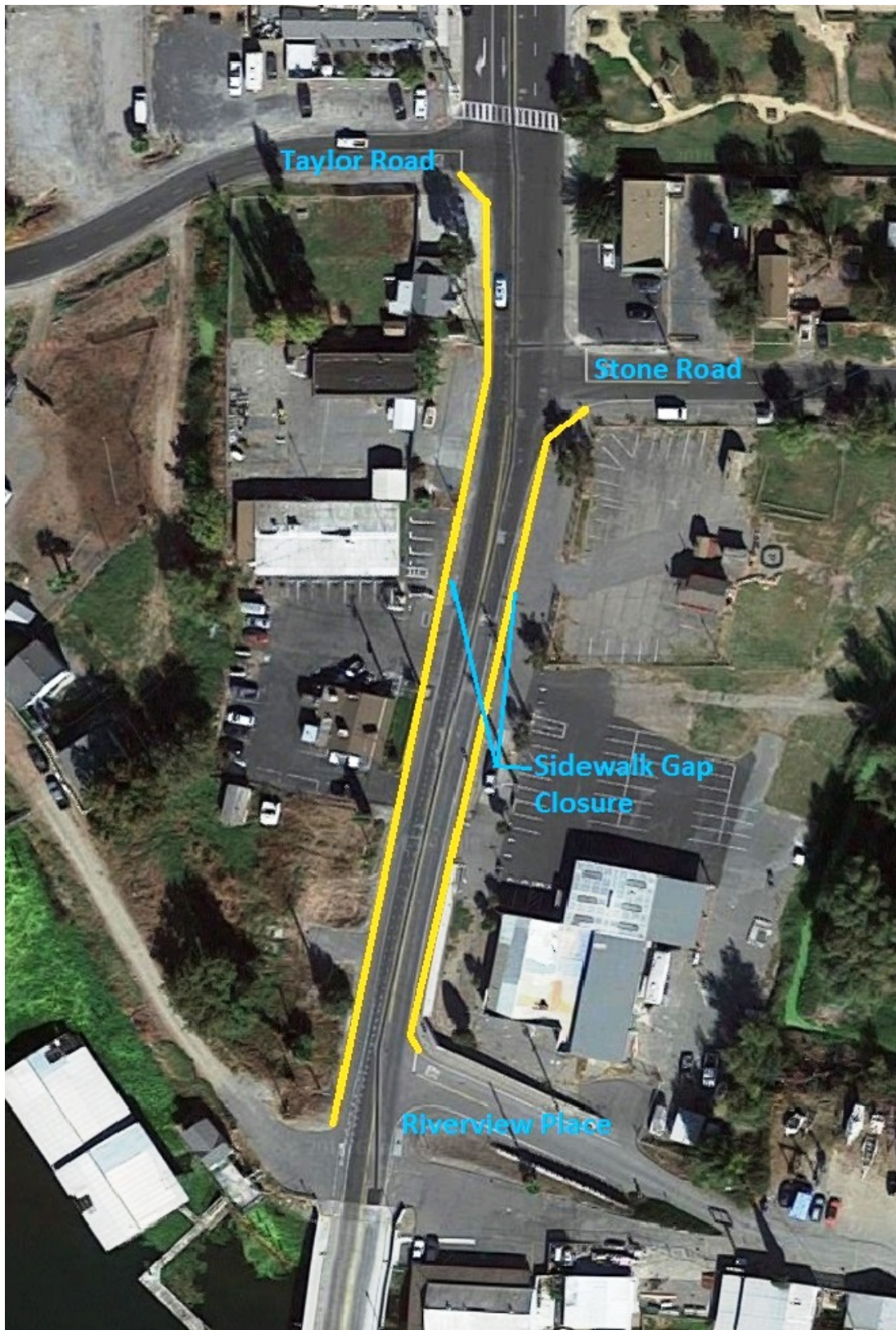


## Project 1: Bethel Island Road Shoulders





Project 1 (2): Bethel Island Road Sidewalk Gaps







## Project 2.1: Sandmound Boulevard Shoulders - Oakley City Limits to Mariner Rd



# DKS Associates

## Planning Cost Estimate

1970 Broadway Ste 740, Oakland CA 94612

Project Number

## 2.2

- ☒ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.
- ☐ Click here if this project is a surface treatment or overlay project.

Project Name: Sandmound Boulevard Shoulders - Mariner Rd to Cypress Rd

Project Location: Sandmound Blvd from Mariner Rd to Cypress Rd

Description	Project work includes widening Sandmound Boulevard to County standards and provide bicycle and pedestrian improvements. Travel lanes will be widened from 9' to 12', and 5' shoulders with 2' of shoulder backing will also be constructed.
-------------	---

Project Length (ft): 6100

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.

Revision Date

Revised by

No.	Description	Quantity	Units	Unit Cost	Total
1	Clearing and grubbing	122000	SF	\$0.50	\$ 61,000
2	Earthwork	122000	SF	\$2.00	\$ 244,000
3	Shoulder Backing	1007	Ton	\$30.00	\$ 30,195
4	Class 2 Aggregate Base	7230	CY	\$65.00	\$ 469,926
5	Hot Mix Asphalt (Type A)	4026	Ton	\$110.00	\$ 442,860
6	Striping	6100	LF	\$3.00	\$ 18,300
?	Asphaltic emulsion-slurry seal	109800	SY	\$1.00	\$ 109,800
7	Temporary traffic control	1	LS	\$68,800.00	\$ 68,800
8	Mobilization	1	LS	\$ 144,500.00	\$ 144,500
	CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000)				\$ 1,445,000
	Planning Engineering (TE)	\$ 145,000	Contract Items		\$ 1,589,000
	Preliminary Engineering (Design/Survey)*	\$ 239,000	Other Costs (CON)		\$ 239,000
	Utility Coordination (Design)	\$ 127,000	Contingency*		\$ 239,000
	Environmental (Environmental, Real Property)	\$ 51,000	Subtotal (Contract Items)		\$ 2,067,000
	R/W Engineering (Survey)	\$ -	Subtotal (Plan)		\$ 145,000
	Real Property Labor	\$ -	Subtotal (PE)		\$ 417,000
	R/W Acquisition	\$ -	Subtotal (R/W)		\$ -
	Construction Engineering *	\$ 239,000			
	Environmental Monitoring and Mitigation Fees	\$ -			
	SUBTOTAL of OTHER COSTS (ALL)	\$ 801,000			
			GRAND TOTAL		\$ 2,629,000

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

CURRENT YEAR	2014
--------------	------

ESCALATION YEAR 2014

ESCALATION RATE 0.0%

➤ **TOTAL (in 2014 dollars)**      \$    2,629,000

**Project 2.2: Sandmound Boulevard Shoulders - Mariner Rd to Cypress Rd**





- ☒ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.  
☐ Click here if this project is a surface treatment or overlay project.

Project Name: Gateway Road Shoulders  
Project Location: Gateway Rd from Bethel Island Rd to Piper Rd

Description: Project work includes widening Gateway Road to County standards and provide bicycle and pedestrian improvements. Travel lanes will be widened from 10' to 12', and 8' shoulders will be constructed along both sides of the roadway.

Project Length (ft): 5240

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.  
Revision Date  
Revised by

No.	Description	Quantity	Units	Unit Cost	Total
1	Clearing and grubbing	104800	SF	\$0.50	\$ 52,400
2	Earthwork	104800	SF	\$2.00	\$ 209,600
3	Class 2 Aggregate Base	3881	CY	\$65.00	\$ 252,296
4	Hot Mix Asphalt (Type A)	2162	Ton	\$110.00	\$ 237,765
5	Striping	5240	LF	\$3.00	\$ 15,720
?	Asphaltic emulsion-slurry seal	104800	SY	\$1.00	\$ 104,800
6	Headwalls	1	EA	\$5,000.00	\$ 5,000
7	Pipe extension	5	LF	\$250.00	\$ 1,250
8	Temporary traffic control	1	LS	\$43,900.00	\$ 43,900
9	Mobilization	1	LS	\$ 92,300.00	\$ 92,300
	CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000)				\$ 923,000
	Planning Engineering (TE)	\$ 93,000		Contract Items	\$ 1,015,000
	Preliminary Engineering (Design/Survey) *	\$ 153,000		Other Costs (CON)	\$ 153,000
	Utility Coordination (Design)	\$ 88,000		Contingency *	\$ 153,000
	Environmental (Environmental, Real Property)	\$ 35,000		Subtotal (Contract Items)	\$ 1,321,000
	R/W Engineering (Survey)	\$ -		Subtotal (Plan)	\$ 93,000
	Real Property Labor	\$ -		Subtotal (PE)	\$ 276,000
	R/W Acquisition	\$ -		Subtotal (R/W)	\$ -
	Construction Engineering *	\$ 153,000			
	Environmental Monitoring and Mitigation Fees	\$ -			
	SUBTOTAL of OTHER COSTS (ALL)	\$ 522,000			
				GRAND TOTAL	\$ 1,690,000

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

CURRENT YEAR 2014  
ESCALATION YEAR 2014  
ESCALATION RATE 0.0%

➤ **TOTAL (in 2014 dollars) \$ 1,690,000**

### Project 3: Gateway Road Shoulders



- ☒ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.  
☐ Click here if this project is a surface treatment or overlay project.

Project Name: Piper Road Shoulders  
 Project Location: Piper Rd from Gateway Rd to Willow Rd

Description: Project work includes widening Piper Road to County standards and provide bicycle and pedestrian improvements. Travel lanes will be widened from 10' to 12', and 5' shoulders with 2' of shoulder backing will also be constructed.

Project Length (ft): 5005

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.  
 Revision Date  
 Revised by

No.	Description	Quantity	Units	Unit Cost	Total
1	Clearing and grubbing	90090	SF	\$0.50	\$ 45,045
2	Earthwork	90090	SF	\$2.00	\$ 180,180
3	Shoulder Backing	413	Ton	\$30.00	\$ 12,387
4	Class 2 Aggregate Base	2595	CY	\$65.00	\$ 168,687
5	Hot Mix Asphalt (Type A)	1445	Ton	\$110.00	\$ 158,971
6	Striping	5005	LF	\$3.00	\$ 15,015
?	Asphaltic emulsion-slurry seal	100100	SY	\$1.00	\$ 100,100
7	Temporary traffic control	1	LS	\$34,000.00	\$ 34,000
8	Mobilization	1	LS	\$ 71,400.00	\$ 71,400
	CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000)				\$ 714,000
	Planning Engineering (TE)	\$ 72,000		Contract Items	\$ 786,000
	Preliminary Engineering (Design/Survey)*	\$ 118,000		Other Costs (CON)	\$ 118,000
	Utility Coordination (Design)	\$ 58,000		Contingency*	\$ 118,000
	Environmental (Environmental, Real Property)	\$ 23,000		Subtotal (Contract Items)	\$ 1,022,000
	R/W Engineering (Survey)	\$ -		Subtotal (Plan)	\$ 72,000
	Real Property Labor	\$ -		Subtotal (PE)	\$ 199,000
	R/W Acquisition	\$ -		Subtotal (R/W)	\$ -
	Construction Engineering *	\$ 118,000			
	Environmental Monitoring and Mitigation Fees	\$ -			
	SUBTOTAL of OTHER COSTS (ALL)	\$ 389,000			
				GRAND TOTAL	\$ 1,293,000

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

CURRENT YEAR 2014  
 ESCALATION YEAR 2014  
 ESCALATION RATE 0.0%

➤ TOTAL (in 2014 dollars) \$ 1,293,000

## Project 4: Piper Road Shoulders



## ORDINANCE NO. 2016-12

(Uncodified)

### (Bethel Island Area of Benefit Fees)

The Board of Supervisors of Contra Costa County ordains as follows:

**SECTION 1. Summary and Purpose.** This ordinance provides for the repeal of Contra Costa County Ordinance No. 93-27, the reestablishment of the Bethel Island Area of Benefit, and the adoption of revised transportation mitigation fees for transportation improvements needed to mitigate transportation impacts of new development in the area of benefit through 2040.

**SECTION 2. Authority.** This ordinance is enacted pursuant to Government Code sections 66001, *et seq.*, and 66484, and Division 913 of the Contra Costa County Ordinance Code, and other applicable laws and ordinances.

### **SECTION 3. Recitals and Findings of Fact.**

- (a) Under the Mitigation Fee Act, California Government Code section 66000, *et seq.*, the County is authorized to charge a development-project applicant, as a condition of project approval, a fee that is proportional to the cost of public improvements necessary to serve the development project, or to alleviate impacts caused by the development project. Government Code sections 66484 and 66484.7 specifically authorize the County to impose those fees to defray the actual or estimated costs of new or reconstructed bridges over waterways, railways, freeways, major thoroughfares, and pedestrian, bicycle, transit, and traffic-calming facilities that serve new development within a specific area of benefit.
- (b) In 1993, the Board of Supervisors adopted Ordinance No. 93-27 to establish the Bethel Island Area of Benefit. Ordinance No. 93-27 imposed fees on each new development within the Bethel Island Area of Benefit, to fund specified new bridges and thoroughfares, or expansions of existing bridges and thoroughfares, necessary to serve the development project or alleviate traffic impacts or demands caused by the project. Those fees funded many significant projects. Because of changes in development and traffic patterns in the area, the Public Works Department reevaluated the transportation improvements needed to serve new development in the Bethel Island Area of Benefit through 2040.
- (c) The County's August 2016 Development Program Report ("Report"), including the August 2016 "Nexus Study, Bethel Island Area of Benefit" ("Nexus Study") attached as Exhibit D to the Report, have been prepared to determine the amount of the fees necessary to fund new development's share of the estimated costs of new or reconstructed bridges over waterways, railways, freeways, major thoroughfares, pedestrian, bicycle, transit, and traffic-calming facilities (the "Transportation Improvements") that are necessary to meet traffic demands generated by new development within the Bethel Island Area of Benefit through 2040. The Transportation Improvements are more particularly described in the Report, the Nexus Study, and Sections 5.6 (Roadway and Transit Network Plans) and 5.8 (Pedestrian Facilities and



Bikeways) of Chapter 5 (Transportation and Circulation Element) of the County's 2005-2020 General Plan.

- (d) The Report and Nexus Study propose a fair and equitable method for allocating a portion of the costs of the Transportation Improvements to new development within the Bethel Island Area of Benefit. The cost of each of the Transportation Improvements in the Report and Nexus Study is reasonable. The total amount of revenue expected to be generated from fees charged and collected under this ordinance will not exceed the estimated cost of the Transportation Improvements attributable to new development within the Bethel Island Area of Benefit. The County will rely on sources other than transportation mitigation fee revenue to pay Transportation Improvement costs not allocated to new development.
- (e) Payment of the fees adopted by this ordinance shall not be required unless the major thoroughfares or planned bridge facilities are in addition to, or a reconstruction of, any existing major thoroughfares or planned bridge facilities serving the Bethel Island Area of Benefit at the time that the boundaries of that area of benefit are established by this ordinance. Because all of the Transportation Improvements are in addition to, or a reconstruction or expansion of, existing thoroughfares and bridge facilities, the fees adopted by this ordinance may be imposed on new development projects within the Bethel Island Area of Benefit.
- (f) Pursuant to Government Code section 66001, the Board of Supervisors further finds:
  - (1) As determined in the Nexus Study, the purpose of the fees adopted and collected pursuant to this ordinance is to fund new development's share of the estimated costs of the Transportation Improvements identified in the Nexus Study.
  - (2) As determined in the Nexus Study, there is a reasonable relationship between the use of revenue generated by the fees and the type of new development projects on which those fees shall be imposed.
  - (3) As determined in the Nexus Study, there is a reasonable relationship between the need for the Transportation Improvements that shall be funded by fee revenue, and the types of new development within the Bethel Island Area of Benefit on which those fees shall be imposed.
  - (4) As determined in the Nexus Study, there is a reasonable relationship between the amount of the fee imposed on each type of new development within the Bethel Island Area of Benefit, and the cost of the Transportation Improvements to be funded by fee revenue.
- (g) The Board of Supervisors further finds as follows:
  - (1) Pursuant to Government Code sections 54986, 65091, 66017, 66018, 66474.2, subdivision (b), and 66484, and Division 913 of the Contra Costa County Ordinance Code, notice of a public hearing on this ordinance was given and published, and the public hearing was held. The Nexus Study and Report were made available to the public at least ten (10) days before the hearing.

- (2) If, within the time when protests may be filed under the provisions of this ordinance, there is a written protest, filed with the Clerk of the Board of Supervisors, by owners of more than one-half of the area of the property within the Bethel Island Area of Benefit, and sufficient protests are not withdrawn so as to reduce that area to less than one-half of the area of the property within the Bethel Island Area of Benefit, these proceedings shall be abandoned and this ordinance shall not be adopted. However, the Board of Supervisors has considered all written protests, and all written and oral testimony offered at the hearing, and finds that no majority protest exists.
- (3) At the public hearing on this ordinance, the boundaries of the Bethel Island Area of Benefit, the estimated costs of the Transportation Improvements, and a fair method of allocation of those costs to new development projects within the Bethel Island Area of Benefit were established.

**SECTION 4. Definitions.** For the purpose of this ordinance, the following terms have the following meanings:

- (a) "Development project" or "new development project," means either of the following located within the Bethel Island Area of Benefit:
  - (1) Any new construction, or any addition, extension, or enlargement of an existing structure or unit, which includes a dwelling unit for residential use or the floor area of commercial, office or industrial use, requiring a building permit from the County; or
  - (2) Any conversion or change in use of an existing structure requiring a building permit from the County that would result in a change in the land use type.
- (b) "Peak-hour trip" has the same meaning as that term is used in the Nexus Study.
- (c) "Square foot" means a square foot of gross floor area within the interior walls of a building or portions thereof.
- (d) "Dwelling-unit-equivalent" means the same level of traffic impacts attributable to one dwelling unit, as determined in the Report and Nexus Study.

**SECTION 5. Fee Adoption and Collection.** Fees that apply to new development within the Bethel Island Area of Benefit are hereby adopted, and shall be charged and collected, as specified in this section.

- (a) Amount of the Fees.
  - (1) Bethel Island Area of Benefit Fees. The following schedule of fees shall be effective on the effective date of this ordinance:

<u>Land Use Type</u>	<u>Fee</u>	<u>Per Unit</u>
Single-Family Residential	\$ 1,617.00	per dwelling unit
Multi-Family Residential	\$ 986.00	per dwelling unit
Commercial/Retail	\$ 2.30	per square foot
Office	\$ 1.86	per square foot
Industrial	\$ 1.47	per square foot
Other	\$ 1,617.00	per dwelling unit equivalent

- (2) Adjustment of Fees Beginning January 1, 2017. On January 1, 2017, and on each January 1 thereafter, the amounts of the fees set forth in Section 5(a)(1), above, shall be increased or decreased by a percentage equal to the percentage change, if any, in the Engineering News-Record Construction Cost Index for the San Francisco Bay Area for the 12-month period ending September 30 of the prior year.
- (b) Calculation of the Bethel Island Area of Benefit Fee. Unless otherwise specified in this ordinance, each new development project shall pay a fee calculated as described in this Section 5(b).
- (1) Calculation of Fee for New Development that Expands, Extends, or Replaces an Existing Development. If any new development project will replace an existing development, or if any new development project will expand or extend an existing development, by increasing the number of dwelling units or square feet of floor area of, or the number of dwelling-unit-equivalents attributable to, the existing development, the fee imposed on the new development project shall be calculated as follows:
- (A) For residential land uses: The applicable transportation mitigation fee in Section 5(a) of this ordinance is multiplied by the difference of: (i) either the number of dwelling units attributable to the new development that replaces an existing development, or the number of dwelling units attributable to the development after the expansion or extension of the existing development; minus (ii) the number of dwelling units attributable to the existing development. That calculation is expressed as follows:
- $$[\text{Applicable fee per-dwelling unit}] \times [(\text{number of dwelling units after replacement or expansion/extension}) - (\text{number of dwelling units before replacement or expansion/extension})]$$
- (B) For office, industrial, and commercial/retail land uses: The applicable fee in Section 5(a) of this ordinance is multiplied by the difference of: (i) either the number of square feet of the new development that will replace an existing development, or the number of square feet of the development after expansion or extension of the existing development; minus (ii) the number of square feet of the existing development. That calculation is expressed as follows:



$$[\text{Applicable fee per square foot}] \times [(\text{number of square feet after replacement or expansion/extension}) - (\text{number of square feet before replacement or expansion/extension})]$$

- (C) For “other” land uses: The applicable fee in Section 5(a) of this ordinance is multiplied by the difference of: (i) either the number of dwelling-unit-equivalents attributable to the new development that will replace an existing development, or the number of dwelling-unit-equivalents attributable to the development after expansion or extension of the existing development; minus (ii) the number of dwelling-unit-equivalents attributable to the existing development. That calculation is expressed as follows:

$$[(\text{Applicable fee per dwelling-unit-equivalent})] \times [(\text{number of dwelling-unit-equivalents after replacement or expansion/extension}) - (\text{number of dwelling-unit-equivalents before replacement or expansion/extension})]$$

The County will determine the number of dwelling unit equivalents that will be generated by the new development project based on: information generated by project-specific traffic studies prepared by a professional engineer; the standards set forth in the then-current edition of the Institute of Transportation Engineers Trip Generation Manual (“ITE Manual”); and other information provided by the new development project applicant that the County deems relevant.

- (D) Notwithstanding any other provision of this ordinance, if the result of the calculation required by this Section 5(b)(1) is zero or a negative number, then no fee shall be imposed on the new development project.
- (2) Calculation of the Bethel Island Area of Benefit Fee for New Development that Does Not Expand, Extend, or Replace an Existing Development. For any new development project that does not expand, extend, or replace an existing development, the fee imposed on the new development project shall be calculated as follows:
- (A) For residential land uses: The applicable fee in Section 5(a) of this ordinance is multiplied by the number of dwelling units attributable to the new development. That calculation is expressed as follows:
- $$(\text{Applicable fee per dwelling unit}) \times (\text{number of dwelling units})$$
- (B) For office, industrial, and commercial/retail land uses: The applicable fee in Section 5(a) of this ordinance is multiplied by the number of square feet of the new development. That calculation is expressed as follows:
- $$(\text{Applicable fee per square foot}) \times (\text{number of square feet of floor area})$$

- (C) For “other” land uses: The applicable fee in Section 5(a) of this ordinance is multiplied by the number of dwelling unit equivalents attributable to the new development. That calculation is expressed as follows:

(Applicable fee per dwelling-unit-equivalent) x (number of dwelling-unit-equivalents attributable to new development)

The County will determine the number of dwelling unit equivalents attributable to the new development project based on: information generated by project-specific traffic studies prepared by a professional engineer; the standards set forth in the then-current edition of the ITE Manual; and other information provided by the new development project applicant that the County deems relevant.

- (c) Applicability and Establishment of Bethel Island Area of Benefit Boundaries. The transportation mitigation fees specified in this ordinance shall apply to all new development within the Bethel Island Area of Benefit, unless otherwise specified in this ordinance. The boundaries of the Bethel Island Area of Benefit are more particularly described in the legal description, and are depicted on the map, attached hereto together as Exhibit A and incorporated herein by reference. The boundaries of the Bethel Island Area of Benefit are hereby readopted and reestablished in accordance with Government Code sections 66484 and 66484.7.
- (d) Time of Collection. The fee attributable to each new development project shall be paid before the County issues a building permit for the new development project. Payment of the fee shall be a condition of building permit issuance, as specified in Chapter 913-4 of the County Ordinance Code.
- (e) Exemptions. No new development project is exempt from payment of a fee under this ordinance, unless, as of the date of the notice published pursuant to Government Code Section 66474.2, subdivision (b), either of the following apply:
- (1) The new development project has perfected an exemption from the fee under the vesting tentative map law; or
  - (2) The new development project has entered into a development agreement with the County that expressly excludes assessment of additional fees on that project.
- (f) Fee Reductions and Credits.
- (1) A project applicant may request a reduction in fees from the County if it is determined that the project will generate a lower number of trips than data provided by the ITE Manual that was used as the basis for the Report. A requested fee reduction must be based on a traffic study that determines that the traffic impacts of the proposed development would generate fees that are less than the fees set forth in Section 5, above. The methodology for conducting the study shall be developed and approved by the County. The County shall determine the appropriate fee reduction based upon the proportionate reduction in traffic impacts demonstrated in the traffic study.

- (2) A project applicant may receive a credit against fees for the dedication of land for right-of-way and/or construction of any portion of the Transportation Improvements to be funded with the fees collected pursuant to this ordinance, where the right-of-way or construction is beyond that which would otherwise be required for approval of the proposed development. The calculation of the amount of credit against fees for these dedications or improvements shall be based on a determination by the County that the credits are exclusive of the dedications, setbacks, improvements, and/or traffic mitigation measures that are required by ordinance or local standards. In addition, the credit shall be calculated based upon the actual cost of construction of improvements or, in the case of land dedication, on an independent appraisal approved by the County. All fee credits and reimbursements for dedications in lieu of payment of any transportation mitigation fee, or portion thereof, required to be paid by this ordinance shall be subject to an agreement executed in accordance with the Traffic Fee Credit and Reimbursement Policy, approved by the Board of Supervisors on June 5, 2007, which is made a part hereof and incorporated herein by reference.

(g) Fee Waivers.

- (1) Upon written request of the project applicant, the Public Works Director may waive the fees collected under this ordinance for dwelling units that the Public Works Director determines, in a written finding, fit into one of the following categories: (1) rental units affordable to households earning less than 80% of the area median income; or (2) ownership units affordable to households earning less than 120% of the area median income.
- (2) As a condition of such waiver, the project applicant shall enter into a regulatory agreement with the County, guaranteeing the use, occupancy, affordability, and term of affordability of such dwelling units. Rental units for which a waiver is granted under this section shall be restricted to that use for a minimum of 55 years. Ownership units for which a waiver is granted under this section shall be restricted to that use for a minimum of 30 years.

(h) Fee Waiver for Inclusionary Housing Units. In lieu of the fee waiver for affordable housing units as set forth in Section 5(g), development projects that are subject to Chapter 822-4 of the County Ordinance Code shall be eligible for a waiver of the fees collected under this ordinance as follows:

- (1) Fees shall be waived for each rental unit to be developed and rented as an inclusionary unit under the terms and conditions of Section 822-4.410(a) of the County Ordinance Code.
- (2) Fees shall be waived for each for-sale unit to be developed and sold as an inclusionary unit under the terms and conditions of Section 822-4.410(b) of the County Ordinance Code.

- (3) If a fee is paid in lieu of constructing some or all inclusionary units in a development project, pursuant to Section 822-4.404 of the County Ordinance Code, the fees collected under this ordinance shall be waived for the number of inclusionary units for which the in-lieu fee is paid.
- (i) Senior Housing and Congregate Care. Nothing in this ordinance shall be construed to abridge or modify the Board's discretion, upon proper application for a senior housing or congregate care facility, to adjust or to waive the fees required to be paid under this ordinance, pursuant to Government Code Section 65915.
- (j) Deposit of Fee Revenue. Revenue from fees paid pursuant to this ordinance shall be deposited into a fund covering the Transportation Improvements identified in the Report and Nexus Study, and shall be separately accounted for. The funds shall not be commingled with other funds, except where the funds are temporarily invested pursuant to Government Code section 66006. Fee revenues deposited in the fund shall be expended solely for the purposes described in this ordinance. Any interest earned on deposits in the fund also shall be deposited in that fund and used for those purposes.
- (k) Limitations. No fees collected pursuant to this ordinance may be used to reimburse the construction costs of bridge or thoroughfare facilities serving the Bethel Island Area of Benefit on the effective date of this ordinance. However, fee revenues may be used to reimburse any general fund monies, or other County revenues, advanced to pay for any planned bridge or thoroughfare improvements.

#### **SECTION 6. Reporting and Accounting Requirements.**

- (a) Annual Reporting. Within 180 days after the last day of each fiscal year, the Public Works Director, or designee, shall make available to the public a report regarding the fund established for receipt of deposits of the fees collected by the County pursuant to this ordinance. The report shall be reviewed by the Board of Supervisors at a regularly scheduled meeting that will be held, and notice of which will be provided, in accordance with Government Code Section 66006. The report shall contain the following information for the fiscal year:
  - (1) A brief description of the type of fee in the account or fund.
  - (2) The amount of the fees.
  - (3) The beginning and ending balance of the account or fund.
  - (4) The amount of the fees collected and the interest earned.
  - (5) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with those fees.

- (6) An identification of an approximate date by which the construction of the public improvement will commence if the Board determines that sufficient funds have been collected to complete financing on an incomplete public improvement, and the public improvement remains incomplete.
  - (7) A description of each interfund transfer or loan from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.
  - (8) The amount of refunds made pursuant to Government Code section 66001, subdivision (e), and any allocations pursuant to Government Code section 66001, subdivision (f).
- (b) Periodic Review by the Board. In the fifth fiscal year following the first deposit into the fund established for receipt of deposits of the fees collected pursuant to this ordinance, and at least once every five years thereafter, the Board of Supervisors shall make all of the following findings with respect to that portion of the Bethel Island Area of Benefit fund remaining unexpended, whether committed or uncommitted, pursuant to Government Code Section 66001:
- (1) Identify the purpose to which the fees are to be put.
  - (2) Demonstrate a reasonable relationship between the fees and the purpose for which they are charged.
  - (3) Identify all sources and amounts of funding anticipated to complete financing of incomplete transportation improvements identified in the Report and Nexus Study.
  - (4) Designate the approximate dates on which the funding referred to in Section 6(b)(3), above, is expected to be deposited into the appropriate account or fund.

**SECTION 7. Repeal of Existing Fees.** Except as specified in this Section 7 and Section 9, below, Contra Costa County Ordinance No. 93-27 is hereby repealed and superseded by this ordinance, as of the effective date of this ordinance. However, this repeal shall not affect any fees that were imposed on any development project pursuant to Ordinance No. 93-27 prior to the effective date of this ordinance, which fees shall be paid and collected under the provisions of Ordinance No. 93-27.

**SECTION 8. Judicial Review.** Any judicial action or proceeding to attack, review, set aside, void, or annul the fees established by this ordinance shall be commenced within one hundred twenty (120) days after the effective date of this ordinance. Any action to attack any adjustment to the schedule of fees pursuant to Section 5(a)(2) of this ordinance shall be commenced within one hundred twenty (120) days after the effective date of that adjustment.

**SECTION 9. Severability.** Notwithstanding any other provision of this ordinance to the contrary, if a court of competent jurisdiction determines any fee set forth in Section 5 of this ordinance is invalid or unenforceable, the comparable fee adopted by Ordinance No. 93-27, shall be deemed not to have been repealed and shall remain in effect and subject to the remaining provisions of this ordinance.

Notwithstanding any other provision of this ordinance to the contrary, if a court of competent jurisdiction determines this ordinance is invalid or unenforceable, Ordinance No. 93-27 shall be deemed not to have been repealed and shall remain in full force and effect.

**SECTION 10. Effective Date.** This ordinance shall become effective 60 days after passage, and, within 15 days of passage, this ordinance shall be published once, with the names of the Supervisors voting for and against it, in the Contra Costa Times, a newspaper of general circulation published in this County. Pursuant to section 913-6.026 of the Contra Costa County Ordinance Code, the Clerk of the Board shall promptly file a certified copy of this ordinance with the County Recorder.

PASSED and ADOPTED on \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Board Chair

ATTEST:

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

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

Attachments: Exhibit A (Map and Legal Description of Bethel Island Area of Benefit Boundaries)

SMS

H:\Client Matters\Public Works\AOB Fees\Bethel Island AOB\BIAOB Fee Ordinance - Final 090816.doc



State of California—Natural Resources Agency  
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE  
**2015 ENVIRONMENTAL FILING FEE CASH RECEIPT**

RECEIPT# 07-2015-306
STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY CCC DEPT OF CONSERVATION AND DEVELOPMENT			DATE 10/07/2015
COUNTY/STATE AGENCY OF FILING Contra Costa			DOCUMENT NUMBER 2015-E0000395
PROJECT TITLE 2015 COUNTYWIDE AREA OF BENEFIT UPDATE			
PROJECT APPLICANT NAME CCC PUBLIC WORKS DEPARTMENT			PHONE NUMBER (925) 313-2190
PROJECT APPLICANT ADDRESS 255 GLACIER DRIVE	CITY MARTINEZ	STATE CA	ZIP CODE 94553

PROJECT APPLICANT (Check appropriate box):

☒ Local Public Agency    ☐ School District    ☐ Other Special District    ☐ State Agency    ☐ Private Entity

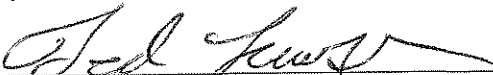
CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,069.75	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,210.00	\$	0.00
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board only)	\$850.00	\$	0.00
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,043.75	\$	0.00
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$	50.00
<input type="checkbox"/> Project that is exempt from fees			
<input checked="" type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Other _____		\$	

PAYMENT METHOD:

☐ Cash    ☐ Credit    ☐ Check    ☒ Other JV0736

TOTAL RECEIVED \$ 50.00

SIGNATURE X 	PRINTED NAME AND TITLE Ted Lawson, Deputy Clerk
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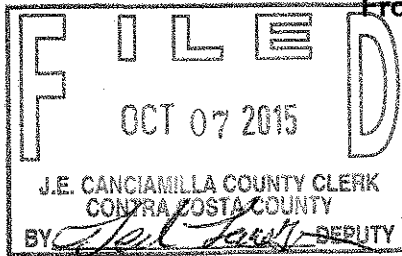
County Receipt Number: 2407259

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Notice of Exemption

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

☒ County Clerk  
County of: Contra Costa



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

Project Title: **2015 Countywide Area of Benefit Update**

Project Applicant: **Contra Costa County Public Works Department**

Project Location: **West, Central, East County**

Project Location: **Countywide**

Project Location – County: **Contra Costa**

**Description of Nature, Purpose and Beneficiaries of Project:**

The 2015 Countywide Area of Benefit (AOB) update is a fee mechanism, allocating money collected from developers to fund road improvement projects that mitigate traffic impacts generated by new residential, commercial, industrial, and other developments. There are several separate AOBs within the County. The purpose of the AOB update is to make adjustments to the current AOB project list and fee schedule to meet changing traffic mitigation demands and needs within Contra Costa County. The update is needed to ensure that the amount of fees charged accurately reflects the effects of annual inflation for each of the county AOBs and meets the current traffic mitigation needs. This CEQA document addresses the adjustments to the Countywide AOB only. Each roadway project to be covered by the 2015 Countywide Area of Benefit Update will be addressed by individual project-specific CEQA documents.

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

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

**Exempt Status:**

- ☐ Ministerial Project (Sec. 21080(b)(1); 15268; ☐ Categorical Exemption: \_\_\_\_\_  
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a)); ☐ Other Statutory Exemption, Code No.: \_\_\_\_\_  
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c)); ☒ General Rule of Applicability [Article 5, Section 15061 (b)(3)]

**Reasons why project is exempt: This activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061 (b) (3) of the CEQA Guidelines.**

Lead Agency Contact Person: **Kimani Birden - Public Works Dept.** Area Code/Telephone/Extension: (925) 313-2190

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: *[Signature]* Date: 7-09-15 Title: Principal Planner

☐ Signed by Lead Agency ☐ Signed by Applicant

**AFFIDAVIT OF FILING AND POSTING**

I declare that on 10/7/2015 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]* *[Signature]*  
Signature Title

**Applicant:**

Public Works Department  
255 Glacier Drive  
Martinez, CA 94553  
Attn: Kimani Birden  
Environmental Services  
Division  
Phone: (925) 313-2190

**Department of Fish and Game Fees**

**Due**

- ☐ EIR - \$3,069.<sup>75</sup>  
☐ Neg. Dec. - \$2,210.<sup>00</sup>  
☐ DeMinimis Findings - \$0  
☒ County Clerk - \$50  
☒ Conservation & Development - \$25

Total Due: \$ 75.<sup>00</sup>

Total Paid \$ \_\_\_\_\_

Receipt #: \_\_\_\_\_



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

Adopted this Resolution on \_\_\_\_\_, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**RESOLUTION NO. 2016/543**

---

IN THE MATTER OF the adoption of Contra Costa County Ordinance No. 2016-12, adjusting the fees for the Bethel Island Area of Benefit.

WHEREAS, the Board of Supervisors conducted a public hearing on September 27, 2016, to consider the adoption of Contra Costa County Ordinance No. 2016-12, to adjust transportation mitigation fees imposed on new development in the Bethel Island Area of Benefit; and

WHEREAS, the Board of Supervisors at said hearing reestablished the boundaries of the Bethel Island Area of Benefit, the costs of the proposed improvements, and the method of fee apportionment, as set forth in the August 2016, Development Program Report for the Bethel Island Area of Benefit ("Development Program Report"), attached hereto as Exhibit 1; and

WHEREAS, Government Code section 66484 requires a resolution incorporating a description of the area of benefit boundaries, costs, and method of fee apportionment to be recorded by the governing body conducting the hearing; and

WHEREAS, the August 2016, "Nexus Study, Bethel Island Area of Benefit" ("Nexus Study"), which is attached as Exhibit D to the Development Program Report, sets forth the nexus findings required by the Mitigation Fee Act (Gov. Code. § 66000 et seq.);

NOW THEREFORE, it is resolved that the Board of Supervisors hereby:

1. ADOPTS the Development Program Report attached hereto as Exhibit 1, including the Nexus Study attached as Exhibit D to the Development Program Report.
2. INCORPORATES herein by reference the following, which were established at the hearing described above:
  - A. The boundaries of the Bethel Island Area of Benefit, as more particularly described in the legal description attached as Exhibit A to the Development Program Report, and as depicted in the map attached as Exhibit B to the Development Program Report.

- B. The estimated costs of the bridge and thoroughfare improvements to be funded with revenue from the Bethel Island Area of Benefit fees, as more particularly set forth in Exhibit C to the Development Program Report; and
- C. The method of apportionment of the Bethel Island Area of Benefit fees, as more particularly described in the Development Program Report, and in the Nexus Study attached as Exhibit D to the Development Program Report.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: September 27, 2016

Subject: HEARING to consider adoption of Ordinance No. 2016-18 and Resolution No. 2016/545

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**RECOMMENDATION(S):**

OPEN the public hearing to consider adopting Ordinance No. 2016-18, to adjust Bay Point Area of Benefit ("Bay Point AOB") fees; RECEIVE public comments; CONSIDER all objections and protests received by the Clerk of the Board of Supervisors; and CLOSE the public hearing.

DETERMINE that the County did not receive protests from owners of more than one half of the area of the property within the proposed boundaries of the Bay Point AOB, and therefore a majority protest does not exist.

ADOPT Ordinance No. 2016-18 to adjust the fees within the Bay Point AOB, and to reestablish the boundaries of the Bay Point AOB.

ADOPT Resolution No. 2016/545, to adopt the Development Program Report and Nexus Study attached thereto.

DETERMINE that the adoption of Ordinance No. 2016-18 and Resolution No. 2016/545 are exempt from environmental review under the California Environmental Quality Act (CEQA), pursuant to Article 5, Section 15061(b)(3) of the CEQA Guidelines.

DIRECT the Conservation and Development Director to file a Notice of Exemption with the County Clerk-Recorder; and DIRECT the Public Works Director to arrange

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Mary Halle, (925)  
313-2327

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

By: , Deputy

cc: Mary Halle, 925-313-2327, Liza Mangabay, 925-313-2232

RECOMMENDATION(S): (CONT'D)

for payment of the \$25.00 handling fee to the County Clerk-Recorder for the filing of the Notice of Exemption.

DIRECT the Clerk of the Board of Supervisors to record certified copies of Ordinance No. 2016-18 and Resolution No. 2016/545 in the Official Records of the Contra Costa County Clerk-Recorder.

DIRECT that, on January 1, 2017, and on each January 1 thereafter that the Ordinance No. 2016-18 remains in effect, the Public Works Director will adjust the Bay Point AOB transportation mitigation fees for the effects of inflation or deflation, in accordance with Section 5(a)(3) of the ordinance.

REDESIGNATE Trust Fund No. 1395 as the fund into which all Bay Point AOB transportation mitigation fee revenue will be deposited, DIRECT all Bay Point AOB transportation mitigation fee revenue to be deposited into that fund, and DIRECT the County Treasurer-Tax Collector to invest all monies in that fund, with interest to accrue and remain in the fund.

DIRECT that all funds previously deposited in Trust Fund No. 1395 must be used solely to pay new development's proportional share of the actual or estimated costs of constructing the transportation improvements specified in the Development Program Report and Nexus Study attached hereto, and to reimburse the County for payment of any such costs with money advanced by the County from its general fund, or from other County revenues.

AUTHORIZE the Public Works Department to collect an additional administrative fee equal to two percent (2%) of the applicable Bay Point AOB Fee.

DIRECT the Conservation and Development Director to monitor future amendments to the currently adopted General Plan and their impact on traffic within the Bay Point AOB and to report those amendments to the Public Works Director as necessary to facilitate updating of the Bay Point AOB Fee.

FISCAL IMPACT:

Adoption of Ordinance No. 2016-18 will result in the collection of transportation mitigation fees from new development in amounts calculated to reflect new development's proportional share of the actual or estimated costs of transportation improvements that are necessary to mitigate transportation impacts within the Bay Point AOB, as specified in the Development Program Report and the Nexus Study.

BACKGROUND:

A. INTRODUCTION: One of the objectives of the County General Plan is to connect new development directly to the provision of community facilities necessary to serve that development. In other words, development cannot be allowed to occur unless a mechanism is in place to provide the funding for the infrastructure necessary to serve that development. Imposing transportation mitigation fees on new development is a means of raising revenue to construct road improvements to serve new developments. Requiring that all new development pay a transportation mitigation fee ensures that new development pays its proportional share of the transportation improvements that need to be constructed to alleviate traffic impacts attributable to that development.

B. PAST AND PURPOSE OF BAY POINT AOB: On September 24, 1985, the Board of Supervisors passed a resolution forming the West Pittsburg Area of Benefit, now known as the Bay Point Area of Benefit. At the time, there were many vacant parcels in the area with potential for residential development, and the existing transportation system was inadequate to handle the additional traffic generated from the projected development. In 1991, 1996 and again in 1998, the Area of Benefit program was revised to reflect the changing needs of the area. Over the past 28 years, Area of Benefit fees have helped pay for improvements to Willow Pass Road, Bailey Road, Port Chicago Highway, Pacifica Avenue and Driftwood Drive.

C. PROPOSED CHANGES TO FEE PROGRAM: The Bay Point area has, in recent years, experienced changes in the area's circulation needs and development potential. Most of the residential development potential has been fulfilled, and many of the original Area of Benefit projects have been constructed. The remaining development

runned, and many of the original Area of Benefit projects have been constructed. The remaining development potential within the Bay Point AOB is estimated to generate nearly 1,500 residential units, 310,000 square feet of office space, 317,000 square feet of industrial space, and 237,000 of retail space by year 2040. These changes have prompted another revision to the Area of Benefit program, resulting in a new project list and fee schedule.

1. New Project List: County staff and consultants have identified transportation projects that are needed to serve development within the Bay Point AOB through 2040. These projects have been included on the updated project list, attached as Exhibit C to the August 2016 Development Program Report (“2016 Development Program Report”). These projects include arterial roadway improvements, intersection improvements, and signalization projects, as well as pedestrian and bicycle infrastructure projects. The roads that will be improved within the Area of Benefit include but are not limited to Willow Pass Road, Port Chicago Highway, and Bailey Road.

The total estimated cost of the updated list of projects is \$40,534,000, of which \$16,820,812 is attributable to new development within the Bay Point AOB. The current Bay Point AOB fund balance will be applied to the portion of the estimated costs attributable to new development, resulting in a net \$15,874,501 to be paid by new development. Detailed estimates of the cost of each of the projects on the project list are included in the August 2016 Nexus Study, Bay Point Area of Benefit (the “Nexus Study”), attached as Exhibit D to the 2016 Development Program Report. The portion of the project costs that are not funded through the AOB program will be funded through other revenue sources, including but not limited to State or Federal Highway Safety Improvement grant funds, Local Measure J funds, gas tax revenue, and various other grant programs that may become available in the future. One project from the 1998 project list, Port Chicago Highway west of McAvoy Road to Pacifica Avenue, has not been completed, and will carry over to the proposed project list. This carry over project is identified on the proposed list as Project 3.2. The existing balance in the account of approximately \$950,000 will be ear marked to fund this project.

2. Revised Fee Rates: Based on the analysis in the Nexus Study, transportation mitigation fees were calculated to charge new development for its proportional share of the cost of the projects on the project list in the 2016 Development Program Report. These transportation mitigation fees are set forth in Table 1, below. These fees will be imposed on new development within the Bay Point AOB on and after the effective date of Ordinance No. 2016-18. On January 1, 2017, and on each January 1<sup>st</sup> thereafter, each of the fees in Table 1 will automatically increase or decrease based on the percentage change in the Engineering News-Record Construction Cost Index, San Francisco Bay Area, for the 12 month period ending September 30<sup>th</sup> of the year prior to the year in which the adjustment will take effect.

Table 1: Proposed Fee Rates

<b>Land Use Category</b>	<b>Proposed Fee Rate</b>
Single-Family	\$7,870 / du
Multi-Family	\$4,801 / du
Commercial	\$4.62 / sf
Office	\$3.74 / sf
Industrial	\$2.96 / sf
Other	\$7,870/ due

Note: du = dwelling unit; sf = square foot

The total fees required to be paid by a new development project applicant will be calculated based on the number of dwelling units (residential), square feet (commercial, office, industrial), or dwelling-unit-equivalents (other) attributable to that development, as specified in the Nexus Study, multiplied by the applicable fee in Table 1. The fee for the expansion of an existing development will be calculated by determining the number of dwelling units, square feet, or dwelling-unit-equivalents attributable only to the expansion.

The fees to be paid by each new development will be collected at the time a building permit is issued for the development, in accordance with Ordinance Code Chapter 913-4. Fee revenue will be deposited in the fund for

the Bay Point AOB – Trust Fund No. 1595 – and used only for the transportation improvements identified in the 2016 Development Program Report.

The potential maximum fee rates for non-residential land uses, as calculated in the Nexus Study, represent an increase of roughly 180% for commercial land use, 175% for industrial, and about 130% for office use. In order to keep Bay Point competitive for job growth, a fee reduction of approximately 40% is proposed for employment generating land uses. The reduced non-residential fees are comparable to those imposed by other local agencies in the vicinity of Bay Point.

D. RESOLUTION NO. 2016/545: Pursuant to Government Code section 66484 subdivision (a)(3), a resolution must be adopted by the Board that incorporates a description of the boundaries of the area of benefit, the costs, whether actual or estimated, and the method of fee apportionment established at the hearing.

The 2016 Development Program Report attached to the resolution sets forth the boundaries of the Bay Point AOB, the list of projects and their estimated costs, the method of fee apportionment, and the nexus findings. Approval of Resolution No. 2016/545 is recommended because it serves to comply with the above legal requirements by adopting and incorporating the facts and findings contained in the 2016 Development Program Report, and the Nexus Study attached to the report.

E. ORDINANCE NO. 2016-18:

To adjust the Bay Point AOB fees, an ordinance must be approved by the Board of Supervisors to include the “nexus” findings required by Government Code section 66001. The ordinance also must include the specific information required by Government Code section 66484. Ordinance No. 2016-18 includes the information and findings required by those statutes.

Adoption of Ordinance No. 2016-18 will repeal Ordinance No. 98-40, and impose new transportation mitigation fees on new development within the Bay Point AOB. The ordinance includes provisions for fee reductions for affordable and inclusionary housing, senior housing, and congregate care facilities. Revenue from the fees will fund the transportation projects necessary to serve transportation demands within the Bay Point AOB through 2040. Staff recommends that the Board adopt Ordinance No. 2016-18.

F. ADMINISTRATIVE FEE: In addition to the transportation mitigation fee imposed on a new development project, the County will assess an administrative fee equal to 2% of that transportation mitigation fee. This additional fee will be used to cover staff time for fee collection, accounting, technical support to the community groups, traffic advisory committees and other administrative tasks.

G. CEQA FINDINGS: These actions are covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects that have the potential to cause a significant effect on the environment. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The implementation and imposition of fees has no associated environmental impacts. Therefore, this activity is exempt from the requirements of CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines. The future implementation of the transportation improvement projects to be funded with transportation mitigation fee revenue, however, may have associated project-specific impacts, and such impacts will be evaluated under CEQA as each project is planned and implemented.

Notice of this hearing was given in accordance with Government Code sections 6061, 65091, 54986, 66484, and Ordinance Code Section 913-6.014. For the reasons specified above, Public Works Department staff recommends that the Board take each of the recommended actions listed in this board order, to adjust the transportation mitigation fees that are imposed on new development within the Bay Point AOB.

#### CONSEQUENCE OF NEGATIVE ACTION:

Failure to adopt Ordinance No. 2016-18 to adjust fees in the Bay Point Area of Benefit, reestablish the boundaries, and update the proposed project list of the area of benefit will result in new development not paying its proportional share of the transportation improvements needed to serve development within the AOB through 2040.

## ATTACHMENTS

Resolution No. 2016/545

DPR -Bay Point AOB

Nexus Study for Bay Point AOB August 2016

Board Resolution Final Reso. No. 2016/545

CEQA- Notice of Exemption

Ordinance 2016-18

Recorded at the request of: Mary Halle, (925) 313-2327  
Return To: mary.halle@pw.cccounty.us

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

Adopted this Resolution on 09/27/2016 by the following vote:

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

---

Resolution No. 2016/545

IN THE MATTER OF the adoption of Contra Costa County Ordinance No. 2016-18, adjusting the fees for the Bay Point Area of Benefit.

WHEREAS, the Board of Supervisors conducted a public hearing on September 27, 2016, to consider the adoption of Contra Costa County Ordinance No. 2016-18, to adjust transportation mitigation fees imposed on new development in the Bay Point Area of Benefit; and

WHEREAS, the Board of Supervisors at said hearing reestablished the boundaries of the Bay Point Area of Benefit, the costs of the proposed improvements, and the method of fee apportionment, as set forth in the August 2016, Development Program Report for the Bay Point Area of Benefit ("Development Program Report"), attached hereto as Exhibit 1; and

WHEREAS, Government Code section 66484 requires a resolution incorporating a description of the area of benefit boundaries, costs, and method of fee apportionment to be recorded by the governing body conducting the hearing; and

WHEREAS, the August 2016, "Nexus Study, Bay Point Area of Benefit" ("Nexus Study"), which is attached as Exhibit D to the Development Program Report, sets forth the nexus findings required by the Mitigation Fee Act (Gov. Code. § 66000 et seq.);

NOW THEREFORE, it is resolved that the Board of Supervisors hereby:

1. ADOPTS the Development Program Report attached hereto as Exhibit 1, including the Nexus Study attached as Exhibit D to the Development Program Report.
2. INCORPORATES herein by reference the following, which were established at the hearing described above:
  - A. The boundaries of the Bay Point Area of Benefit, as more particularly described in the legal description attached as Exhibit A to the Development Program Report, and as depicted in the map attached as Exhibit B to the Development Program Report.



B. The estimated costs of the thoroughfare improvements to be funded with revenue from the Bay Point Area of Benefit fees, as more particularly set forth in Exhibit C to the Development Program Report; and

C. The method of apportionment of the Bay Point Area of Benefit fees, as more particularly described in the Development Program Report, and in the Nexus Study attached as Exhibit D to the Development Program Rep

**Contact:** Mary Halle, (925) 313-2327

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

**ATTESTED: September 27, 2016**

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

By: , Deputy

**cc:** Mary Halle, 925-313-2327, Liza Mangabay, 925-313-2232



ADOPTED BY BOARD OF SUPERVISORS  
ON \_\_\_\_\_

# **Development Program Report For the Bay Point Area of Benefit**

August, 2016

Prepared Pursuant to Section 913 of the County Ordinance Code

Prepared by and for:

Contra Costa County Public Works Department, Transportation Engineering Division and  
Department of Conservation and Development, Community Development Division

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## Chapter

## 1

**Introduction and Purpose**

The purpose of the Bay Point Area of Benefit (AOB) Program is to help fund improvements to the County's roadway, bicycle, and pedestrian facilities needed to accommodate travel demand generated by new land development within the unincorporated portion of this AOB.

Contra Costa County has various methods for financing transportation improvements. One of the methods is the AOB Program. The AOB Program collects funds from new development in the unincorporated portion of the AOB to finance a portion of the transportation improvements associated with travel demand generated by that development. Fees are differentiated by type of development in relationship to their relative impacts on the transportation system. The intent of the fee program is to provide an equitable means of ensuring that future development contributes their fair share towards transportation improvements, so that the quality of life can be maintained and the County's General Plan Circulation policies can be met.

One of the objectives of the County General Plan is to relate new development directly to the provision of community facilities necessary to serve that new development. Accordingly, development cannot be allowed to occur unless a mechanism is in place to provide the funding for the infrastructure necessary to serve that development. The Bay Point AOB Program is a fee mechanism providing funds to construct transportation improvements to serve new residential, commercial and industrial development. Requiring that all new development pay a transportation improvement fee will help ensure that it participates fairly in the cost of improving the transportation system. This Program applies only to new development within the unincorporated portions of the Bay Point AOB.

Each new development project or expansion of an existing development will generate new travel demand for all travel modes. Where the existing transportation system is inadequate to meet future needs based on new development, improvements are required to meet the new demand. The purpose of this development program is to determine improvements that will ultimately be needed to serve estimated future development and to require the developers to pay a fee to fund their fair share of these improvements.

Because the fee is based on the relative impact of new development on the transportation system and the costs of the necessary improvements to mitigate this impact, the fee amount is

roughly proportional to the development impact. The Nexus Study, Exhibit D, establishes this impact and mitigation relationship to new development and the basis for the fee amount.

**Chapter****2****Background**

On September 24, 1985, the Board of Supervisors passed a resolution forming the West Pittsburg Area of Benefit, now known as the Bay Point Area of Benefit. At the time, there were many vacant parcels in the area with potential for residential development, and the existing transportation system was inadequate to handle the additional traffic generated from the projected development. In 1991, 1996 and again in 1998, the Area of Benefit program was revised to reflect the changing needs of the area. Over the past 28 years, Area of Benefit fees have helped pay for improvements to Willow Pass Road, Bailey Road, Port Chicago Highway, Pacifica Avenue, and Driftwood Drive.

The Bay Point area has, in recent years, experienced changes in the area's circulation needs and development potential. Most of the residential development potential has been fulfilled, and many of the original Area of Benefit projects have been constructed. These changes have prompted another revision to the Area of Benefit program, resulting in a new project list and fee schedule.

The Nexus Study provides the technical basis for a comprehensive update of the Bay Point AOB Program. The focus of the updated program is to support an overall transportation system in the Bay Point AOB that serves the expected future demand based on changes in regional and local land use projections, planned and approved development projects, and associated changes to capital improvements and updated cost estimates.

The Nexus Study documents the analytical approach for determining the nexus between the fees, the local impact created by anticipated development in the Bay Point AOB, and the transportation improvements to be funded with fee revenues. A traffic and fair-share cost analysis was conducted to equitably distribute the cost of the necessary improvements to developments that cause the impacts, per the provisions of the Mitigation Fee Act. The most up-to-date analytical tools and techniques, available at the time this study commenced, were used to ensure the highest level of consistency with current standards.



The Bay Point AOB boundary, which was established in 1985, is shown in Exhibit B, Figure 1. The area within the boundary includes a portion of the City of Pittsburg. However, fees will only be collected within the unincorporated portions of the AOB and will only fund projects within the unincorporated portions of the AOB.

Chapter

**3**

**Location and Boundary**

The Bay Point AOB boundary location is described in Exhibit A and generally shown in Exhibit B.

Chapter

**4**

**General Plan Relationship**

The Bay Point AOB is consistent with the features of the County General Plan and its amendments, and subscribes to the policies of the General Plan elements. The General Plan policies include, but are not limited to, improving the County roadway network to meet existing and future traffic demands. Assessing new development the Bay Point AOB Fee will assist in funding the necessary improvements required for future growth that is generally shown in the General Plan.

The General Plan and its various elements are available for review at the Department of Conservation and Development, Community Development Division, 30 Muir Road, Martinez, during office hours.





Chapter

**5**

**Project List**

The project List for the Bay Point AOB is set forth in Exhibit C. This list contains a total of 13 projects, including arterial roadway improvements, intersection geometric improvements, and signalization projects, as well as providing appropriate pedestrian and bicycle facility improvements.

The improvements proposed were identified through a cooperative effort by the Public Works Department and the Department of Conservation and Development.

The improvements included on the Bay Point AOB project list have been identified through a Transportation Needs Analysis conducted by DKS Associates, in which existing deficiencies were identified, including traffic congestion and roadway deficiencies, as well as travel demand forecast for 2040 conditions.

The draft project list was presented to the Bay Point Municipal Advisory Council (MAC) who supported the list as shown in Table 4, Exhibit C.

The Bay Point AOB Program will be reviewed periodically to evaluate the impacts of changing travel patterns, the rate of development, and the accuracy of the estimated project costs. The periodic review of the program will also allow staff to evaluate project priority and the need to increase fees should project costs increase or exceed the rate of inflation.

## Chapter

## 6

## Development Potential

The “Bay Point Area of Benefit Nexus Study” dated August 2016, was prepared by DKS for the Public Works Department and is attached as Exhibit D and incorporated herein by reference. The Nexus Study provides the technical basis for establishing the required nexus between the anticipated future development in Bay Point and the need for certain transportation facilities.

The projected growth in households, employment, and peak hour trips within the Bay Point AOB is discussed and shown in the Nexus Study. The potential growth for each development type is shown in a “dwelling unit equivalent” or “DUE”. DUEs are numerical measures of how the trip-making characteristics of a land use compare to a typical single-family residential unit, which is assigned a DUE of 1. DUEs reflect the relative trip generation for the peak hour as further explained in the Nexus Study.

A summary of the potential new residential dwelling units, office, industrial, and commercial/retail developments (net growth from 2010 to 2040) is shown in Table 1.

Table 1. Development Potential Summary – Growth in DUEs

Land Use Category	Growth in Units	Growth in DUEs
Single-Family Residential	416 dwelling units	416
Multi-Family Residential	1,014 dwelling units	619
Retail	237,000 sq ft	337
Office	310,000 sq ft	357
Industrial	317,000 sq ft	288
<b>Total Growth</b>		<b>2,017</b>



Chapter

**7**

## Estimated Cost of Road Improvements

The estimated cost of the road improvements planned for the Bay Point AOB and the corresponding Bay Point AOB contribution is shown in Exhibit C. The Bay Point AOB will only finance the proportional share of the improvements necessitated by the impact on the road system from new development.

Detailed cost estimates for the projects included in the road improvement plan are provided in Appendix A to the Nexus Study.

The County will assess an administrative fee equal to 2% of the applicable fee. This additional fee will be used to cover staff time for fee collection, accounting, and technical support to the community groups and traffic advisory committees.



Chapter

8

## Method of Fee Apportionment

The total estimated cost of the projects included in the Bay Point AOB project list is \$40,534,000. Of this, approximately \$16,821,000 is attributable to growth within the Bay Point AOB. There is an existing account balance of roughly \$946,000.

An adjusted project cost to be covered by the Bay Point AOB fees was determined by subtracting the existing fund balance from the attributable project cost.

$$\begin{array}{r r r r r} \$16,821,000 & - & \$946,000 & = & \$15,875,000 \\ \text{(Attributable Project Cost)} & & \text{(Balance)} & & \text{(Adjusted Project Cost)} \end{array}$$

This adjusted project cost represents the amount of revenue needed from the Bay Point AOB Fee to fund the construction of the projects shown in Exhibit C.

The expected growth in the Bay Point AOB to the year 2040 is 2,017 “dwelling unit equivalents,” or “DUEs.” To determine a fee rate per DUE, the adjusted project cost was divided by the projected DUE to determine a maximum fee that could be charged per DUE:

$$\frac{\$15,875,000}{2,017} = \$7,870 \text{ per DUE}$$

The DUEs projected to be generated by each type of development are used to apportion fees among the various development types. This method of apportionment is used so that developments are charged fees in proportion to the number of trips they are projected to generate. In this way, the fees attributed to each new parcel will be proportional to the estimated benefits they receive through use of the new improvements.

Chapter

9

Fee Rates

## Calculation of Fees

The fee calculation is set forth in detail in the Nexus Study (Exhibit D).

To determine a maximum fee rate for the various land use categories, the fee rate per DUE, calculated in Chapter 7 of the Nexus Study, is multiplied by a peak hour trip generation factor for each land use category designation, as shown in Table 2. In the residential categories, this results in a fee per dwelling unit. In the non-residential categories, the fee is charged per square foot. These calculations are summarized in Table 2.

Table 2. Fee Calculations

Land Use Category	Units	Peak Hour Trip Generation Factor	Cost per DUE	Maximum Fee Rate*
Single Family	Dwelling Unit	1.00	7,870	\$7,870 / DU
Multi Family	Dwelling Unit	0.61	7,870	\$4,801 / DU
Retail	Square Foot	0.00142	7,870	\$11.18 / SF
Office	Square Foot	0.00115	7,870	\$9.05 / SF
Industrial	Square Foot	0.00091	7,870	\$7.16 / SF

\* Maximum Fee Rate = Fee Rate per DUE \* Peak Hour Trip Generation Factor

## Recommended Fees

The overarching goal of the AOB fee program is to strike a balance between assessments on developments to fund infrastructure improvements to serve new development and create a healthy local economy.

The potential maximum fee rates for non-residential land uses, as calculated in the Nexus Study, represent an increase of roughly 290% for commercial land use, 280% for industrial, and about 230% for office use. In order to provide an incentive for new jobs to come to Bay Point, a fee reduction of approximately 40% is proposed for employment generating land uses in Bay Point. This reduction for non-residential fees, from the calculated maximum rates in the Nexus Study, results in the fee schedule identified in Table 3 below.

Table 3. Fee Rates

	Single Family	Multi Family	Commercial	Industrial	Office	Other
Bay Point Current	\$3,498	\$2,807	\$3.87	\$2.54	\$3.87	\$3,498
Bay Point Nexus	\$7,870	\$4,801	\$11.18	\$7.16	\$9.05	\$7,870
Bay Point Recommended	\$7,870	\$4,801	\$4.62	\$2.96	\$3.74	\$7,870



Chapter

**10**

**Program Finance Considerations**

## **Other Funding Sources**

The improvements planned for the Bay Point AOB will be only partially funded by Bay Point AOB fee revenues. Other sources of funding, such as State or Federal aid, or local sources such as sales tax, gas tax, etc., will be pursued.

Other funding sources include, but are not limited to, Regional Measure J Funds, State Transportation Improvement Program (STIP) Funds, and Federal Program Funds.

The rate at which revenue is generated by the Bay Point AOB Fee depends on the rate of new development. This rate of revenue generation affects the timing of construction of the improvement projects because it is dependent upon the total amount of fees collected, less expenditures. Alternate sources of funding are required in order to fully fund the proposed projects.

## **Review of Fees**

Project cost estimates will be reviewed periodically while the Bay Point AOB is in effect. On January 1 of each year thereafter, the amount of the fees will be increased or decreased based on the percentage change in the Engineering News Record Construction Cost Index for the San Francisco Bay Area for the 12-month period ending with the September index of the previous calendar year, without further action of the Board of Supervisors.

## **Collection of Fees**

Fees will be collected when a building permit is issued, in accordance with Section 913-4.204 of Title 9 (Subdivisions) of the Contra Costa County Ordinance Code. Fees collected will be deposited into an interest bearing trust fund established pursuant to Section 913-8.002 of the Contra Costa County Ordinance Code.



## **Interest on Fees**

The interest accrued on the fees collected shall continue to accumulate in the trust account and shall be expended for construction of the improvements, or to reimburse the County for the cost of constructing the improvements, pursuant to Section 913-8.006 of the County Ordinance Code.

## **Dedication in Lieu of Fee**

A development may be required to construct, or dedicate right-of-way for a portion of the improvements as a condition of approval. In such an event, the developer may be eligible to receive credit for the fee or reimbursement. The eligible credit and/or reimbursement shall be determined in accordance with the County's "Traffic Fee Credit and Reimbursement Policy."



Exhibit

**A**

**Area of Benefit Boundary Legal Description**

Bay Point  
Area of Benefit  
W. O. #4130

EXHIBIT "A"

All that real property situated in the City of Pittsburg and in the unincorporated area of Contra Costa County, California, described as follows:

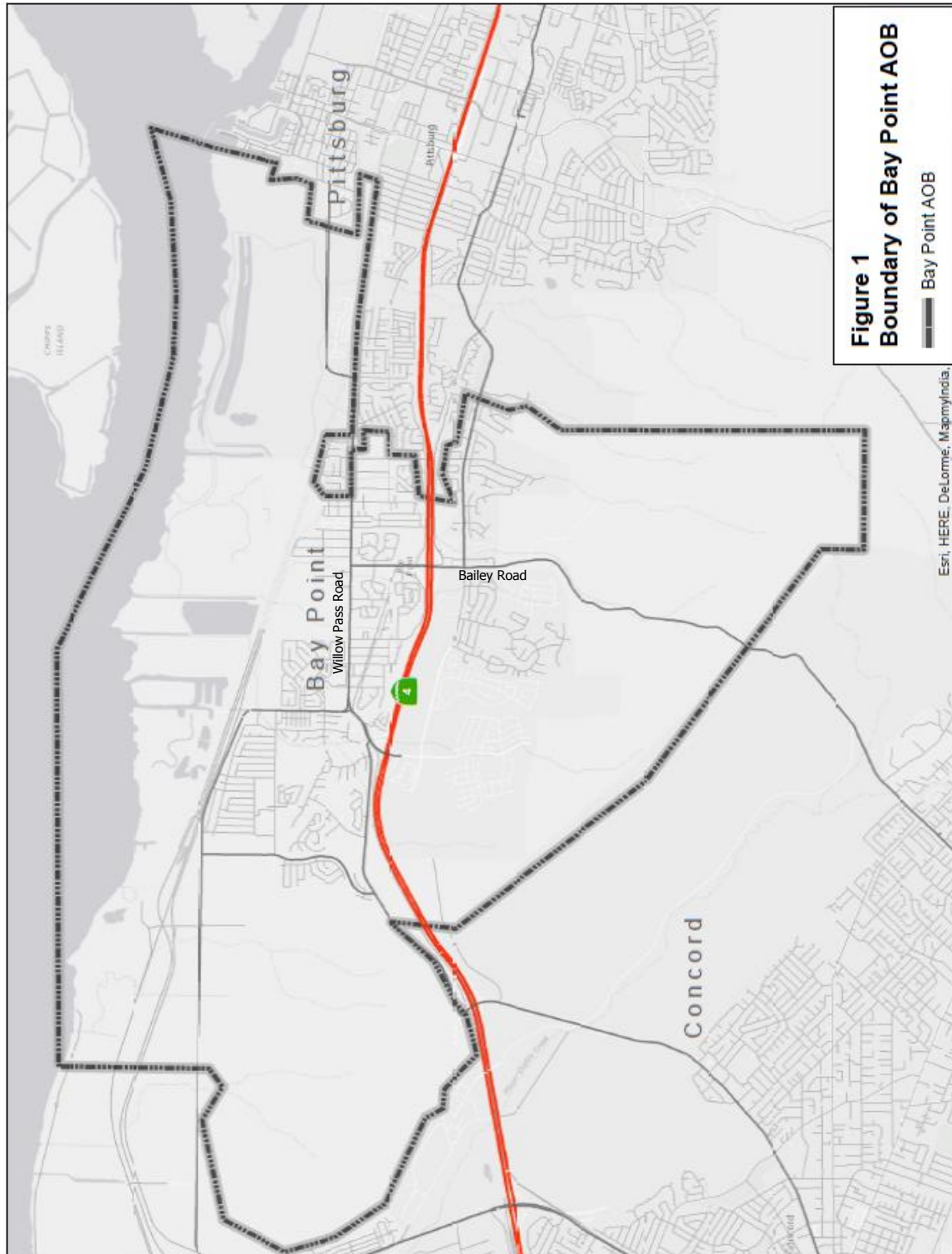
Reference to maps, boundary lines, and ownerships are to records of said County.

Beginning on the north right-of-way line of State Freeway Route No. 4 at the southwest corner of Subdivision 4137 Willow Landing recorded February 25, 1972 in Book 144 of Maps at page 14, being a point on the City of Pittsburg boundary; thence from the Point of Beginning along said City boundary in a general northeasterly direction 35,000 feet, more or less, to the Solano/Contra Costa County boundary; thence along said County boundary in a general westerly direction 35,000 feet, more or less, to the northerly prolongation of the west line of Section 5, Township 2 North, Range 1 West, Mount Diablo Meridian; thence along said prolongation and west line, southerly 7,000 feet, more or less, to the southwest corner of said Section 5, being a point on the centerline of Port Chicago Highway; thence along the west line of Section 8 (T2N, R1W), southerly 410 feet, more or less, to the south right-of-way line of Contra Costa Canal; thence along said Canal right-of-way in a general southwesterly direction 20,000 feet, more or less, to the City of Concord boundary; thence along said City boundary in a general southeasterly direction 1,000 feet, more or less, to the north right-of-way line of State Freeway Route No. 4; thence along said north line in a general easterly direction 5,025 feet, more or less, to the west 1/4 corner of Section 16, Township 2 North, Range 1 West, Mount Diablo Meridian; thence along the west line of Section 16 (T2N, R1W), southerly 1,200 feet, more or less to the southwest corner of Parcel A as shown on the map of Subdivision MS 9-83 filed January 20, 1984 in Book 109 of Parcel Maps at page 10, said point lying on the boundary of the United States Naval Reservation; thence along said Naval Reservation boundary in a general southeasterly direction 20,650 feet, more or less to the southwest corner of Parcel A as shown on the map of Subdivision MS 15-89 filed November 22, 1991, in Book 155 of Parcel Maps at page 44; thence along the southerly and easterly boundary of said Parcel A (155 PM 44), 9,623 feet, more or less to the southeast corner of Parcel B as shown on the map of Subdivision MS 243-73 filed March 18, 1974, in Book 32 of Parcel Maps at page 42; thence along the easterly boundary of said Subdivision MS 243-73 in a general northerly direction 8,971 feet, more or less, to the south right of way line of the Contra Costa Canal; thence along said Canal right of way in a general westerly direction 4,350 feet, more or less, to the east line of Section 14, Township 2 North, Range 1 West, Mount Diablo Meridian; thence along said east line of Section 14 (T2N, R1W), in a general northerly direction 940 feet, more or less, to the north right of way line of State Freeway Route No. 4; thence along said north line, easterly 1,500 feet, more or less, to the Point of Beginning.

Exhibit

**B**

## Area of Benefit Boundary Plat Map





Exhibit

**C**

## Bay Point AOB Project List

Table 4				
ID	Project	Total Cost Estimate	Bay Point AOB Share <sup>2</sup>	Potential AOB Fee Contribution
1.1	Willow Pass Road: Signalize EB and WB off-ramps of SR 4.	\$1,088,000	12%	\$130,560
1.2	Intersection improvements at Willow Pass Road and Evora Road to facilitate traffic flow to WB SR 4.	\$ 803,000	70%	\$562,100
2.1	Willow Pass Road: Restriping from Bailey Road to Pittsburg City Limits to improve capacity.	\$ 214,000	40%	\$85,600
2.2	Willow Pass Road & Bailey Road Intersection Improvements	\$1,058,000	40%	\$423,200
3.1	Port Chicago Highway: Widen to accommodate bicycle and pedestrian improvements from Driftwood Drive to west of McAvoy Road.	\$2,830,000	38%	\$1,075,400
3.2	Port Chicago Highway: Realign from west of McAvoy Road to Pacifica Avenue.	\$2,267,000	48%	\$1,088,160
4	Port Chicago Highway and Willow Pass Road: Construct multi-modal safety improvements through intersection from Lynbrook Drive to Weldon Street.	\$1,784,000	32.8%	\$585,152
5	Driftwood Drive: Construct pedestrian and bicycle safety improvements from Port Chicago Highway to Pacifica Avenue.	\$2,457,000	100%	\$2,457,000
6	Pacifica Avenue: Extend roadway from Port Chicago Highway to Alves Lane extension.	\$4,773,000	100%	\$4,773,999



7	Alves Lane: Extend roadway from Willow Pass Road to Pacifica Avenue extension.	\$4,516,000	100%	\$4,516,000
8	Loftus Road: Bicycle and pedestrian improvements from Willow Pass Road to Canal Road.	\$1,873,000	6%	\$112,380
9	Bailey Road: Construct bicycle and pedestrian safety improvements from Canal Road to Willow Pass Road.	\$9,731,000	6%	\$583,860
10	Bailey Road: Bicycle and pedestrian improvements from Canal Road to BART.	\$7,140,000	6%	\$112,380
<b>TOTAL</b>		<b>\$40,534,000</b>		<b>\$16,820,812</b>



Exhibit

**D**

**Nexus Study Bay Point Area of Benefit**

**Exhibit D**  
**Attached as separate document**

# **Nexus Study Bay Point Area of Benefit**

Prepared By:



in association with Urban Economics

Prepared For:  
Contra Costa County  
Public Works Department

August 2016



# **1. Introduction**

## **1.1 Background and Purpose**

The purpose of the Bay Point Area of Benefit (AOB) Program is to help fund improvements to the County's roadway, bicycle, and pedestrian facilities needed to accommodate travel demand generated by new land development within the unincorporated portion of this AOB.

Contra Costa County has various methods for financing transportation improvements. One of the methods is the AOB Program. The AOB Program collects funds from new development in the unincorporated portion of the AOB to finance a portion of the transportation improvements associated with travel demand generated by that development. Fees are differentiated by type of development in relationship to their relative impacts on the transportation system. The intent of the AOB program is to provide an equitable means of ensuring that future development contributes its proportional share of the cost of transportation improvements, so that the County's General Plan Circulation policies and quality of life can be maintained.

One of the objectives of the County General Plan is to relate new development directly to the provision of community facilities necessary to serve that new development. Accordingly, there is a mechanism in place to provide the funding for the infrastructure necessary to serve that development. The Bay Point AOB Program is a fee mechanism providing funds to construct transportation improvements to serve new residential, commercial and industrial development within the AOB. Requiring that all new development pay a transportation improvement fee ensures that it participates fairly in the cost of improving the transportation system. This Program applies only to new development within the unincorporated portions of the Bay Point AOB.

Each new development project or expansion of an existing development will generate new travel demand for all travel modes. Where the existing transportation system is inadequate to meet future needs based on new development, improvements are required to meet the new demand. The purpose of this development program is to determine improvements that will ultimately be needed to serve estimated future development and to require the developers to pay a fee to fund its proportional share of the cost of these improvements. Because the fee is based on the relative impact of new development on the transportation system and the costs of the necessary improvements to mitigate this impact, the fee amount is roughly proportional to the development impact. This Nexus Study establishes this impact and mitigation relationship to new development and the basis for the fee amount.

## **1.2 Bay Point AOB**

On September 24, 1985, the Board of Supervisors passed a resolution forming the West Pittsburg Area of Benefit, now known as the Bay Point Area of Benefit. At that time, there were many vacant parcels in the AOB with potential for residential development, and the existing transportation system was inadequate to handle the additional traffic generated from the projected development. In 1991, 1996 and 1998, the Bay Point AOB program was revised to reflect the changing needs of the area. Over the past 28 years, Area of Benefit fees have helped pay for improvements to Willow Pass Road, Bailey Road, Port Chicago Highway, Pacifica Avenue and Driftwood Drive.

The Bay Point AOB has, in recent years, experienced changes in the area's circulation needs and development potential. Most of the residential development potential has been fulfilled, and many of the projects on the original Bay Point AOB project list have been constructed. These changes have prompted this revision to the Bay Point AOB program, resulting in a new project list and fee schedule.



The purpose of this Nexus Study is to provide the technical basis for a comprehensive update of the Bay Point AOB Program. The focus of the updated program is to support a multi-modal transportation system in the Bay Point AOB that serves the expected future demand based on changes in regional and local land use projections, planned and approved development projects, and associated changes to capital improvements and updated cost estimates.

This report documents the analytical approach for determining the nexus between the fees, the local impact created by new development in the Bay Point AOB, and the transportation improvements to be funded with fee revenues to mitigate transportation impacts. A traffic and fair-share cost analysis was conducted to equitably distribute the costs of the necessary improvements to developments that cause the impacts, in accordance with the provisions of the Mitigation Fee Act.<sup>1</sup> The most up-to-date versions of the analytical tools and techniques available at the time this study commenced were used to ensure the highest level of consistency with current standards.

The Bay Point AOB boundary, which was established in 1985, is shown in **Figure 1**. The area within the boundary includes a portion of the City of Pittsburg. However, fees will only be collected within the unincorporated portions of the AOB and will only fund projects within the unincorporated portions of the AOB.

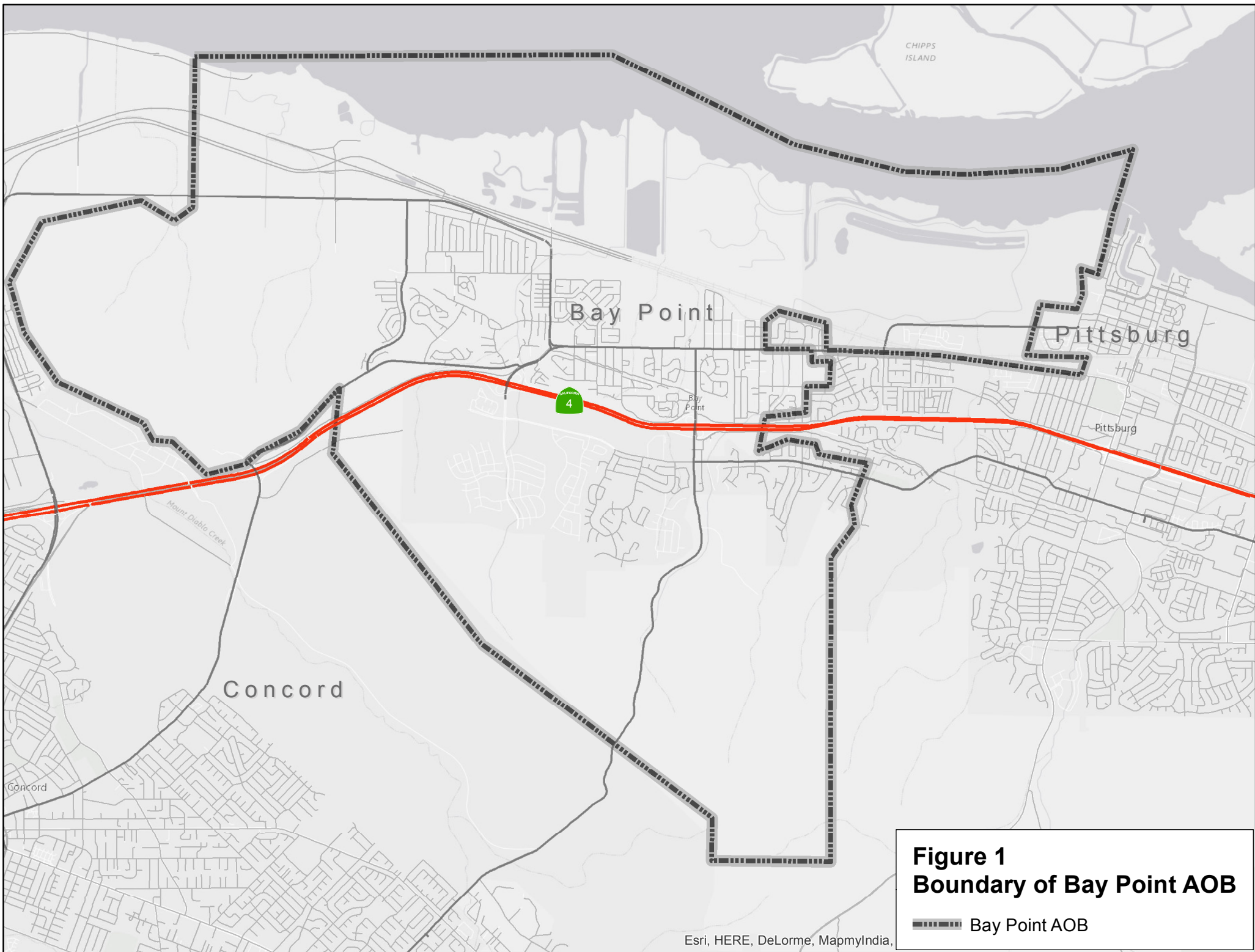
## 2. Evaluation of Current AOB Program

The current Bay Point AOB Program was last updated in 1998. The current Bay Point AOB Program project list, shown in **Table 1**, has three projects, which were estimated in 1998 to cost about \$6 million, of which \$1 million was to be funded by the AOB Program. The 2016 update of the Bay Point AOB Program has included a needs analysis to update this project list along with new project cost estimates, which are described in Sections 3, 4 and 5 of this Nexus Study.

<b>Table 1</b> <b>1998 Project List for Bay Point AOB Program</b>			
<b>Roadway</b>	<b>Project Description</b>	<b>Project Cost to be Funded by AOB (1998 Dollars)</b>	<b>Estimated Project Cost (1998 Dollars)</b>
1 Port Chicago Highway	Reconstruct and re-stripe from Pacifica Ave to McAvoy Rd and construct intersection improvements at McAvoy Rd	\$200,000	\$600,000
2 Pacifica Avenue	Construct left turn pocket at Rio Vista School	\$75,000	\$375,000
3 Evora Road	Widening from Willow Pass Rd to Pomo St	\$750,000	\$4,984,000
<b>Total</b>		<b>\$1,025,000</b>	<b>\$5,959,000</b>
Source: Development Program Report for Bay Point AOB, 1998			

The current AOB Program uses “peak hour factors” to allocate trips by land use types based on Institute of Transportation Engineers (ITE) trip generation rate estimates for the evening (PM) peak hour.

<sup>1</sup> California Government Code, Sections 66000 through 66026.



However, ITE trip rates only reflect the amount of traffic coming in and out of development's entrances, not the extent of the roadway system that is impacted by those trips. This Nexus Study refines this approach to reflect current best practices for impact fee programs when estimating the impact of new development on the transportation system.

For example, simple trip rates over-estimate the traffic impact of retail development on the overall roadway system. The average length of trips coming in and out of a new residential development is longer than trips coming in and out of a retail development. Furthermore, studies show that about 25 to 50 percent of the trips that will go in and out of a new retail development will already be traveling on roadways near that development, and thus are "pass-by" or "diverted" trips, not "new trips" to the surrounding roadway system. All of the trips going to and from a new residential unit are "new trips".

To integrate best practices, the updated Bay Point AOB Program will instead use estimates of vehicle-miles of travel (VMT) added by new development. The VMT rates multiply the trip rate for a land use type by its average trip length and also use percentages to reflect "pass-by trips" versus "new trips." The calculation of fee rates based on this methodology is discussed in Section 4 of this study.

### 3. Determination of AOB Development Potential

The transportation needs analysis and allocation of improvement costs for the Bay Point AOB is based on the countywide travel demand model developed by the Contra Costa Transportation Authority (CCTA) using a 2040 horizon year. The calculation of fees is based on the following general land use categories and associated measurement units that are used as a basis for the land use inputs in CCTA's travel demand model:

<u>Land Use Type</u>	<u>Units</u>
Single-Family	Dwelling units (DU)
Multi-Family	Dwelling units (DU)
Commercial/Retail	Jobs
Office	Jobs
Industrial	Jobs

CCTA's latest land use estimates of existing conditions and 2040 forecasts of new development by Traffic Analysis Zones (TAZs) in the AOB were summarized and reviewed with County Planning staff. Based on that review, adjustments were made and the resulting growth estimate for the AOB summarized in **Table 2**. The table shows estimates of jobs for nonresidential land uses used by the CCTA's model. It also applies estimates of square footage per employee to estimate the growth in building square feet, which are used in the AOB fee program.

### 4. Transportation Needs Analysis

Defining the transportation needs and project list for the Bay Point AOB involved the following steps:

1. Collecting traffic count data (intersections and roadway segments)
2. Identifying existing deficiencies, including level of service (LOS) and roadway standard deficiencies
3. Preparing travel demand forecasts of 2040 conditions
4. Conducting roadway system analysis to identify improvement needs
5. Identifying pedestrian and bicycle facilities/improvements
6. Preparing a draft AOB project list

**Table 2**  
**Summary of Estimated Development 2010 to 2040 Growth**  
**Bay Point Area of Benefit<sup>1</sup>**

Land Use Category	Units	Unincorporated Portion of AOB			Unincorporated Area Assumed to be Annexed by 2040 <sup>2</sup>			City of Pittsburgh Portion of AOB			Total AOB		
		2010	2040	Growth	2010	2040	Growth	2010	2040	Growth	2010	2040	Growth
Single-Family	DU	4,948	5,364	416	399	3,601	3,202	3,241	13,148	9,907	8,588	22,113	13,525
Multi-family	DU	1,806	2,820	1,014	8	9	1	508	417	-91	2,322	3,246	924
<b>Total</b>	<b>DU</b>	<b>6,754</b>	<b>8,184</b>	<b>1,430</b>	<b>407</b>	<b>3,610</b>	<b>3,203</b>	<b>3,749</b>	<b>13,565</b>	<b>9,816</b>	<b>10,910</b>	<b>25,359</b>	<b>14,449</b>
Retail	Jobs	328	801	473	10	104	94	76	776	700	414	1,681	1,267
Office	Jobs	2,756	3,884	1,128	219	2,159	1,940	319	4,122	3,803	3,294	10,165	6,871
Industrial	Jobs	1,116	1,645	529	50	481	431	63	999	936	1,229	3,125	1,896
<b>Total</b>	<b>Jobs</b>	<b>4,200</b>	<b>6,330</b>	<b>2,130</b>	<b>279</b>	<b>2,744</b>	<b>2,465</b>	<b>458</b>	<b>5,897</b>	<b>5,439</b>	<b>4,937</b>	<b>14,971</b>	<b>10,034</b>
Retail	1,000 sq. ft.	164	401	237	5	52	47	38	388	350	207	841	634
Office	1,000 sq. ft.	758	1,068	310	60	594	534	88	1,134	1,046	906	2,795	1,890
Industrial	1,000 sq. ft.	670	987	317	30	289	259	38	599	562	737	1,875	1,138
<b>Total</b>	<b>1,000 sq. ft.</b>	<b>1,592</b>	<b>2,456</b>	<b>864</b>	<b>95</b>	<b>934</b>	<b>839</b>	<b>164</b>	<b>2,121</b>	<b>1,957</b>	<b>1,850</b>	<b>5,511</b>	<b>3,661</b>

**Notes:**

<sup>1</sup> See Figure 1 for AOB Boundary

<sup>2</sup> Growth was assumed in the portion of the AOB west of Bailey Rd and south of Pittsburgh limits but, if it occurs, it was assumed this area would be annexed by the City of Pittsburgh

<b>Land Use</b>	<b>Assumed Square Feet per Job</b>
Retail	500
Office	275
Industrial	600

Source: DKS Associates, 2014

7. Presenting analysis and findings at MAC meetings to obtain input on the draft project list.
8. Finalizing project list

The key technical tasks used to determine the transportation improvements needed to accommodate new development within the AOB and select a project list are described in Sections 4.1 through 4.8 below.

#### **4.1 Traffic Count Data**

Traffic count data is required to determine existing deficiencies and to support the future year roadway/intersection needs analysis. Traffic counts were collected on weekdays in March 2013 at key roadway segments and signalized intersections within the AOB.

#### **4.2 Existing Deficiencies**

The technical methods and standards used to identify the impact of new development on roadway and intersection vehicular congestion within the Bay Point AOB are described in Section 4.4 below. The same methods and standards are used to identify existing deficiencies in the roadway network. When an existing deficiency is identified, it affects how the cost of an improvement is allocated to new development. New development can only fund its proportional share of the total cost of an improvement and cannot pay the cost of correcting an existing deficiency (see Section 6).

#### **4.3 Travel Demand Forecasting**

The transportation needs analysis and allocation of improvement costs were based on CCTA's travel demand model using a 2040 horizon year and the development assumptions summarized in Table 2. Before its use, the output of the CCTA travel demand model for existing conditions was compared to existing traffic count data in the AOB area and some adjustments were made to the CCTA model within and near the Bay Point AOB to improve its accuracy and detail.

#### **4.4 Roadway System Analysis**

This section describes the analysis used to determine the improvements on arterial and collector roadways within the Bay Point AOB that are needed to accommodate new development within the AOB.

##### **Signal Warrants**

Traffic signal warrants are a series of standards that provide guidelines for determining if a traffic signal is appropriate. A planning-level signal warrant analysis based on traffic volumes was conducted at study intersections within the Bay Point AOB to determine if the traffic signals would be warranted under existing and future (2040) conditions. If one or more of the signal warrants are met, signalization of the intersection may be recommended.

##### **Level of Service**

The needs analysis for the Bay Point AOB Program used the level of service (LOS) standards in the County's General Plan, which has different standards for different areas, based on land use types. In the Bay Point Area, LOS D or better conditions are considered acceptable, while LOS E or F conditions are considered unacceptable. LOS is calculated separately for intersections and roadway segments. Intersection LOS analysis is based on average vehicle delay and analysis methods recommended by the Highway Capacity Manual (Transportation Research Board, 2010). Roadway segment LOS analysis compares traffic levels with roadway segment capacities determined by the number of travel lanes and the roadway type. The intersection and roadway segment LOS analysis is summarized in **Tables 3 and 4** as well as **Figures 2 and 3**. The 2040 analysis assumes construction of the extensions of both Pacifica Avenue and Alves Lane within the Bay Point AOB.

**Table 3**  
**Intersection Level of Service Analysis**  
**Bay Point Area of Benefit**

Intersection		Control	2013				2040 <sup>1</sup>				Comments
			AM		PM		AM		PM		
Street 1	Street 2		Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	
Willow Pass Rd	SR 4 EB Ramps	AWSC	43.9	E	45.3	E	73.2	F	67.8	F	2040 LOS assumes current stop sign control. Currently meets warrants for signalization
Willow Pass Rd	SR 4 WB Ramps	AWSC	64.6	F	20.4	C	64.4	F	52.8	F	
Driftwood Dr	Evora Rd	Signal	15.4	B	10.9	B	37.8	D	10.9	B	
Willow Pass Rd	Evora Rd/SR 4 WB Ramps	Signal	15.1	B	8.7	A	72.9	E	20.2	C	
Port Chicago Hwy	Pacifica Ave	Signal	55.1	E	16.5	B	49.7	D	16.2	B	Conditions in 2040 include extensions of Pacifica Ave and Alves Lane
Port Chicago Hwy	Willow Pass Rd	Signal	15.1	B	12.5	B	40.4	D	10.4	B	
Bailey Rd	Willow Pass Rd	Signal	20.7	C	39.8	D	39.3	D	92.9	F	2040 LOS assumes current intersection geometry
Alves Ln	Willow Pass Rd	Signal	2.2	A	3.1	A	43.5	D	19.3	B	
Bailey Rd	Canal Rd	Signal	13.6	B	9.4	A	29.9	C	11.7	B	

<sup>1</sup> The 2040 analysis assumes construction of the extensions of both Pacifica Avenue and Alves Lane

LOS highlighted in **grey** does not meet County's standard

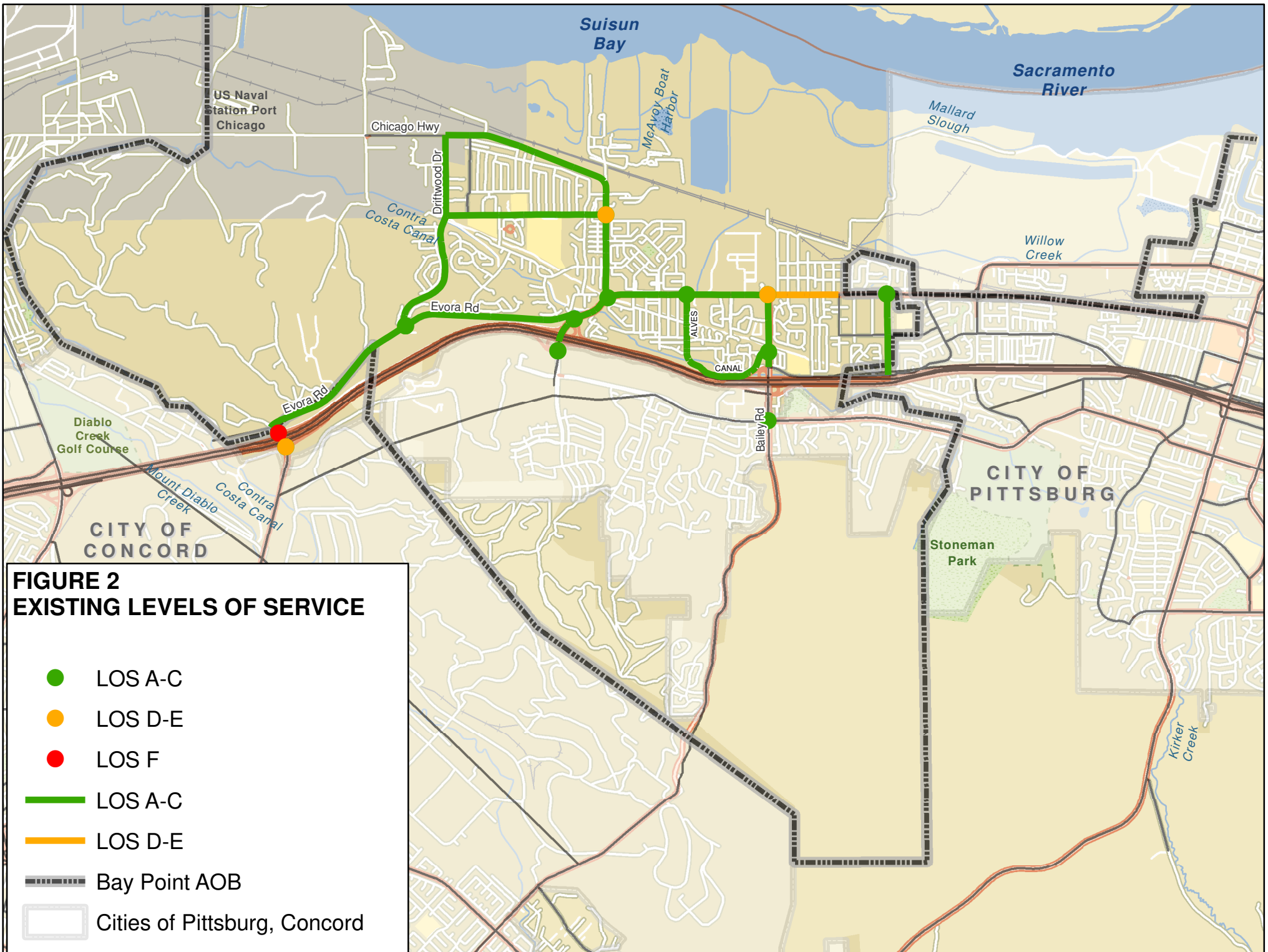
Source: DKS Associates, 2014



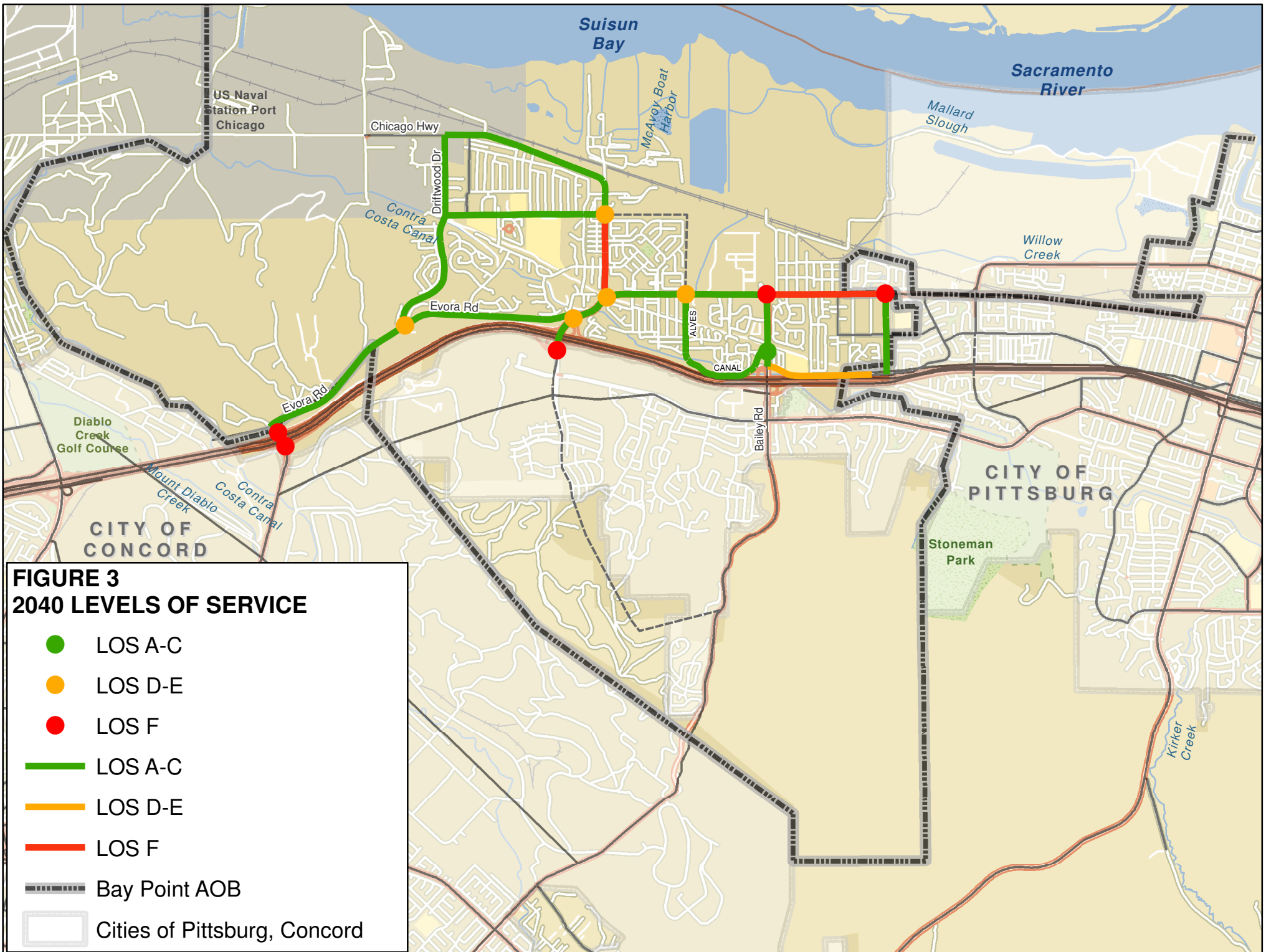
Table 4  
Roadway Segment Level of Service Analysis  
Bay Point Area of Benefit

Roadway	From	To	2013			2040 <sup>1</sup>			Comments
			Lanes	Daily Volume	LOS	Lanes	Daily Volume	LOS	
Evora Road	Willow Pass Rd	Driftwood Dr	2	8,100	A	2	13,400	C	
	Driftwood Dr	Pomo St	4	3,800	A	4	9,700	A	
	Pomo St	Willow Pass Rd	2	5,100	A	2	12,100	B	
Willow Pass Rd	SR 4	Port Chicago Hwy	6	21,500	A	6	38,900	C	
	Port Chicago Hwy	Alves Ln	4	15,500	A	4	25,800	C	
	Alves Ln	Bailey Rd	4	15,500	A	4	28,800	C	
	Bailey Rd	Pittsburg Limits	2	15,100	D	2	27,500	<b>F</b>	Can be restriped to four lanes
Port Chicago Hwy	Driftwood Dr	McAvoy Rd	2	5,000	A	2	8,000	B	
	McAvoy Rd	Pacifica Ave	2	5,200	A	2	10,000	B	
	Pacifica Ave	Willow Pass Rd	3	13,200	C	3	19,400	<b>F</b>	LOS based on northbound direction
Bailey Rd	SR 4	Willow Pass Rd	4	17,800	A	4	26,400	C	
Driftwood Drive	Evora Rd	Pacifica Ave	2	4,500	A	2	4,800	A	
	Pacifica Ave	Port Chicago Hwy	2	500	A	2	2,500	A	
Pacifica Ave	Driftwood Dr	Port Chicago Hwy	2	2,700	A	2	5,000	A	
Loftus Rd	Canal Rd	Willow Pass Rd	2	2,900	A	2	3,100	A	
Alves Lane	Willow Pass Rd	Canal Rd	2	2,600	A	2	3,600	A	
Canal Road	Alves Ln	Bailey Rd	2	4,100	A	2	5,800	A	
	Bailey Rd	Pittsburg Limits	2	12,100	B	2	16,000	D	

<sup>1</sup> The 2040 analysis assumes construction of the extensions of both Pacifica Avenue and Alves Lane  
LOS highlighted in **bold** does not meet County's standard  
Traffic volumes on roadway segments highlighted in grey warrant shoulder or sidewalk improvements to meet County standards  
Source: DKS Associates, 2014







### **Roadway Pavement Width Standards**

Many of the County's two-lane roads within the Bay Point AOB will not have LOS problems but volume increases on narrow roads within the AOB is a safety issue that should be addressed in the AOB Program. Providing adequate roadway width, including adding shoulders to two-lane roadways, would increase safety as traffic increases and shoulders would provide a bicycle lane/walkway. FHWA recommends that rural roadways that carry more than 2,000 average daily vehicles (ADT) should have 5 to 6 foot wide shoulders. Contra Costa County's standards for two-lane roadways, shown in **Table 5**, call for shoulders on roadways with more than 1,000 ADT.

<b>Table 5</b> <b>Two Lane Rural Shoulder/Lane Widths</b> <b>Contra Costa County Public Works Department Standard Plans</b>			
<b>Average Daily Traffic</b>	<b>Shoulder Backing (ft.)</b>	<b>Shoulder (ft.)</b>	<b>Lane (ft.)</b>
< 250	0	1	11
< 400	2	1	11
< 1,000	2	4	12
< 3,000	2	5	12
< 6,000	2	6	12
> 6,000	0	8	12
Source: Contra Costa County Public Works Department Standard Plans, 2008			

### **4.5 Transit and Pedestrian/Bicycle Needs Analysis**

New development also necessitates changes to roadway design that are not geared toward increases in vehicle capacity or improvements to vehicle safety. New development generates non-vehicular trips (bicycle and pedestrian) that will need to be accommodated by improving roadway shoulders to provide bicycle lanes and pedestrian walkways. On roadways that require improvements based on the roadway/intersection analysis described above, bicycle and pedestrian facilities would be implemented to the extent that they are represented in the County's current standard roadway designs.

Transit, bicycle, and pedestrian improvements may also reduce vehicular congestion by shifting trips from autos to these alternative modes. The County's General Plan has goals to encourage the use of transit (Goal 5-I) and to reduce single-occupant auto commuting and encourage walking and bicycling (Goal 5-J). The General Plan also has policies to encourage all efforts to develop alternative transportation systems to reduce peak period traffic congestion (Policy 5-23) and to encourage the use of alternative forms of transportation, such as transit, bike and pedestrian modes in order to provide basic accessibility to those without access to a personal automobile and to help minimize automobile congestion and air pollution.

### **4.6 Draft AOB Project List**

A draft list of capital improvements to the transportation system in the AOB Program was prepared. The project list is focused on the major transportation in the County's General Plan (see Sections 5.6 and 5.8 of the General Plan, which describe the major roadway, transit, bikeway and pedestrian facilities) This list generally consists of the following types of projects:

1. Installing traffic signals at intersections that meet warrants for their installation
2. Adding turn lanes at intersections to meet LOS standards
3. Adding lanes on roadway segments to meet LOS standards
4. Upgrading roadways to be consistent with County design standards
5. Providing appropriate pedestrian and bicycle facility improvements

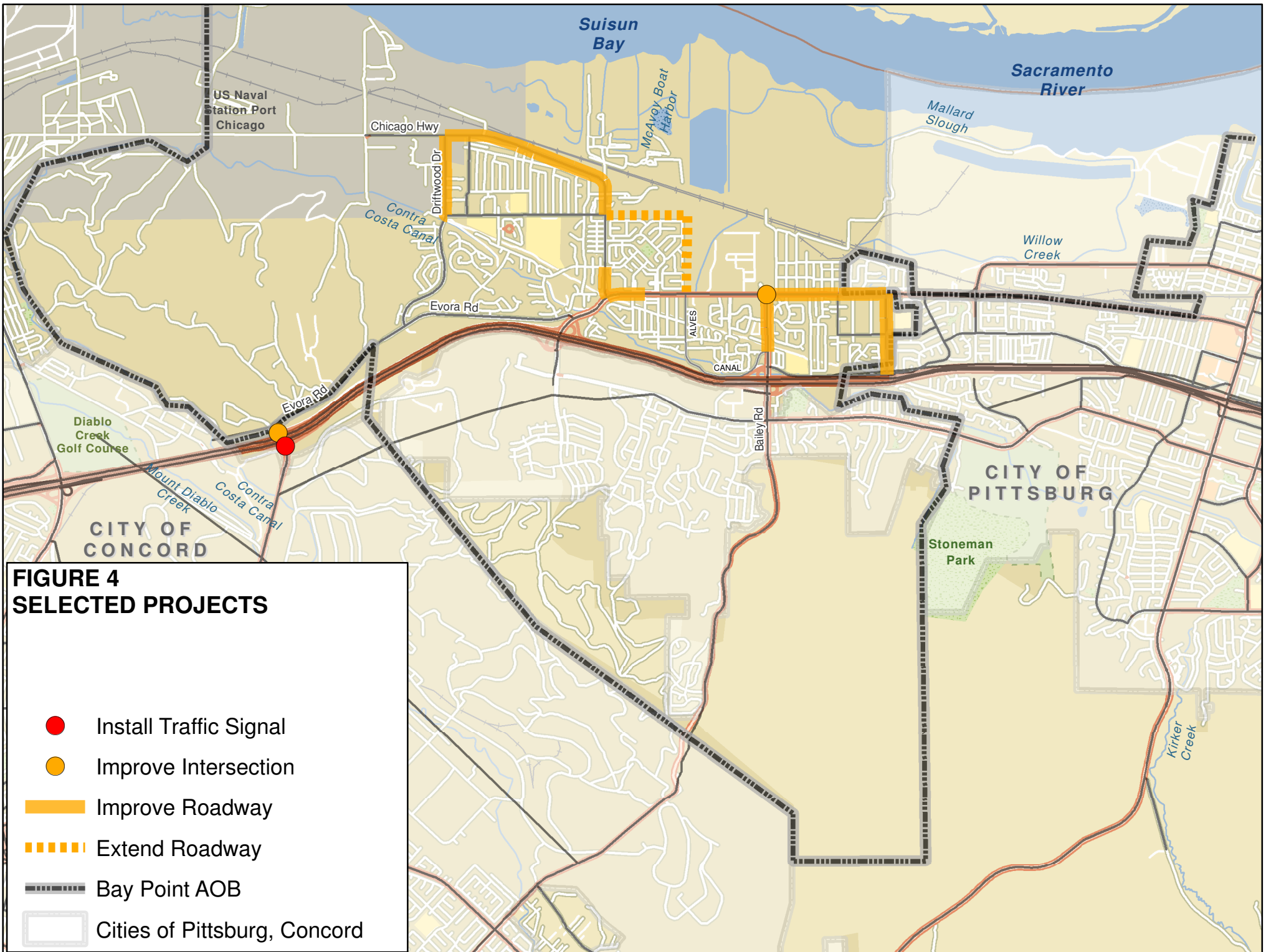
#### 4.7 Presenting Findings at MAC Meetings

The draft project list (see Table 6) was presented to the Bay Point Municipal Advisory Council (MAC), which supported the list as shown in **Table 6** and **Figure 4**.

#### 4.8 Finalize AOB Project List

The MAC did not request changes in the draft project list and thus it represents the final AOB project list.

Table 6 Selected Bay Point AOB Project List								
Roadway	#	Location	Existing Conditions			2040 Conditions		Recommended Project <sup>2</sup>
			Daily Volume	LOS	Deficiency	Daily Volume	LOS <sup>1</sup>	
Willow Pass Rd	1.1	West interchange at SR 4	NA	F	LOS/ Warrants		F	Signalize EB and WB off-ramps
	1.2	Evora Rd at Willow Pass Ct	8,100	B	None	13,400	D	Intersection improvements
	2.1	Bailey Rd to Pittsburg City Limits	15,100	D	LOS	27,500	F	Restripe to improve capacity
	2.1	Intersection at Bailey Rd		D	LOS		F	Intersection improvements
Port Chicago Highway	3.1	Driftwood to West of McAvoy Rd	5,000	A	Design	8,000	B	Pedestrian and bicycle improvements
	3.2	West of McAvoy Rd to Pacifica Ave	5,200	A	Design	10,000	B	Re-align curve and add pedestrian and bicycle improvements
	4	Port Chicago Hwy at Willow Pass Rd	13,200 to 15,500	B	Design	19,400 to 28,800	D <sup>3</sup>	Multi-modal safety improvements
Driftwood Dr	5	Port Chicago Hwy to Pacifica Ave	500	A	Design	2,500	A	Pedestrian and bicycle improvements
Pacifica Ave	6	Port Chicago Hwy to Alves Lane Ext	NA	NA		4,000		Extend roadway
Alves Lane	7	Willow Pass Rd to Pacifica Ave Ext	NA	NA		4,000		Extend roadway
Loftus Rd	8	Canal Rd to Willow Pass Rd	2,900	A	Design	3,100	A	Pedestrian and bicycle improvements
Bailey Rd	9	Willow Pass Rd to Canal Rd	15,200	A	Design	16,000	A	Pedestrian and bicycle improvements
	10	Canal Rd to BART	17,800	B	Design	26,400	F	
<div>Notes:</div> <div><div>1.</div><div>2.</div><div>3.</div></div> <div>LOS without recommended improvement</div> <div>Project list approved by Bay Point Municipal Advisory Council (MAC)</div> <div>LOS reflects conditions at Willow Pass Rd/Port Chicago Hwy intersection with Pacifica Avenue and Alves Lane extensions.</div>								
Source: DKS Associates, 2014								





## 5. Improvement Cost Estimates

Planning-level cost estimates were prepared based on conceptual designs for each project (Table 6) and the design could change based on future studies. The estimates for roadway segment improvements are based on implementing the County's design standards (for roadway cross-sections) by facility type and number of lanes. The cost estimates reflect the known issues, such as creek crossings, relocation of major known utilities, etc. Typical excavation quantities were used except in areas where significant excavation was identified. The cost estimating does not have geotechnical or survey support information. Thus unknowns (such as rock excavation, removal of unsuitable material, relocation of unseen utilities, etc.) were assumed in a project contingency percentage.

The cost estimates include the following appropriate "soft costs" that are key elements in the implementation of each project:

- Project contingencies,
- Survey, design and construction management,
- Environmental mitigation,
- Right-of-way acquisition

The cost estimates for each of the selected projects for funding by the Bay Point AOB, shown in **Table 6** are provided in **Appendix A**.

## 6. Basis for Allocating Costs to New Development

This section describes the process used to allocate transportation improvement costs to new development in the Bay Point AOB and the estimated transportation mitigation fees that result from this analysis.

The allocation of costs of roadway and intersection improvements in the Bay Point AOB is based on answering the following questions:

- Is there an existing deficiency?
- Would the improvement project be required without new development?
- Who uses the roadway/intersection?

The allocation of costs is based on estimates of who will use the roadways or intersections that require improvements based on 2040 traffic forecasts. The allocation of improvement costs is based on the percentage of trips on the roadways and intersections from 1) existing development, 2) new development in the Bay Point AOB and 3) new development outside the AOB (referred to as through traffic). An increase in through traffic represents an increase in trips that both start and end outside the AOB and pass through the AOB. **Table 7** summarizes the estimated percentages for the selected AOB project list. The methods used to allocate costs are described below.

### 6.1 Improvements to Meet County LOS Standards

Costs for improvements needed to address LOS impacts (either intersection or roadway LOS) are allocated to new development in the Bay Point AOB using one of three methods:

1. For a roadway segment or intersection that is currently operating at an acceptable LOS but would operate at an unacceptable LOS in 2040, the entire cost of improving that segment or intersection is allocated to new development if there is no significant increase in through traffic. This method was used to allocate costs for improvements to Driftwood Drive (see Table 7).

**Table 7**  
**Cost Allocation Analysis for Bay Point AOB Project List**

Roadway	#	Location	Recommended Project	Existing Conditions			2040 Conditions		Percent of 2040 Total Volume			Percent of 2013 to 2040 Growth		Percent Allocated to AOB
				Daily Volume	LOS	Deficiency	Daily Volume	LOS <sup>1</sup>	Existing	Growth		Local	Through	
										Local	Through			
Willow Pass Rd	1.1	West interchange at SR 4	Signalize EB & WB off-ramps	NA	F	LOS/ Warrants		F	58	12	30	29	71	12
	1.2	Evora Rd at Willow Pass Ct	Intersection improvements	8,100	B		13,400	D	60	28	12	70	30	70
	2.1	Bailey Rd to Pittsburg Limits	Restripe to improve capacity	15,100	D		27,500	F	55	18	27	40	60	40
	2.2	Intersection at Bailey Rd	Intersection improvements		D			F	55	18	27	40	60	40
Port Chicago Highway	3.1	Driftwood to West of McAvoy Rd	Pedestrian and bicycle improvements	5,000	A	Standards	8,000	B	62	38	0	100	0	38
	3.2	West of McAvoy Rd to Pacifica Ave	Re-align curve and add pedestrian and bicycle improvements	5,200	A	Standards	10,000	B	52	48	0	100	0	48
	4	NE quadrant of Intersection with Willow Pass Rd	Multi-modal safety improvements	13,200 to 15,500	B		19,400 to 28,800	D	60	32.8	7.2	82	18	32.8
Driftwood Dr	5	Port Chicago Hwy to Pacifica Ave	Pedestrian and bicycle improvements	500	A		2,500	A	20	80	0	100	0	100

**Table 7**  
**Cost Allocation Analysis for Bay Point AOB Project List**

Roadway	#	Location	Recommended Project	Existing Conditions			2040 Conditions		Percent of 2040 Total Volume			Percent of 2013 to 2040 Growth		Percent Allocated to AOB
				Daily Volume	LOS	Deficiency	Daily Volume	LOS <sup>1</sup>	Existing	Growth		Local	Through	
										Local	Through			
Pacifica Ave	6	Port Chicago Hwy to Alves Lane Ext	Extend roadway	NA	NA		4,000	A	68	32	0	100	0	100
Alves Lane	7	Willow Pass Rd to Pacifica Ave Ext	Extend roadway	NA	NA		4,000	A	68	32	0	100	0	100
Loftus Rd	8	Canal Rd to Willow Pass Rd	Pedestrian and bicycle improvements	2,900	A	Standards	3,100	A	94	6	0	100	0	6
Bailey Rd	9	Willow Pass Rd to Canal Rd	Pedestrian and bicycle improvements	15,200	A		16,000	A	90	6	4	60	40	6
	10	Canal Rd to BART		17,800	B		26,400	F	67	6	27	18	82	6

Percentages were estimated using Contra Costa Transportation Authority's (CCTA) travel demand model with the growth estimates summarized in Table 2  
 LOS reflects conditions without improvement. Percent allocated to AOB is based on percentage shaded in grey  
 Source: DKS Associates, 2014

2. If the current and future LOS conditions are the same as described under #1 but a significant increase in through traffic is projected, then new development within the AOB is not allocated the full cost of the improvement. Instead, new development within the AOB is allocated a percentage of costs based the number of new trips on a roadway segment or intersection that have either their origin or destination within the AOB divided by the total amount of trips from new development. The remaining percent of costs, reflecting new trips that have neither their origin nor destination in the AOB, are not allocated to development in the AOB. This method was used to allocate costs of improvements along Willow Pass Road, except the cost of installing signals at the SR 4 interchange, since that is an existing deficiency (see Table 7).
3. For a roadway segment or intersection that currently does not meet the County's LOS standards (an existing deficiency), the percent cost share for new development in the AOB is equal to the number of new trips on a roadway segment that have either their origin or destination within the AOB divided by all trips on that roadway, both from existing and new development (including through traffic). This method was used to allocate the costs of installing signals at the Willow Pass Road interchange with SR 4, as well as the cost of improvements along Port Chicago Highway, Bailey Road and Loftus Road (see Table 7).

## 6.2 Widening to meet Roadway Pavement Width Standards

The allocation of costs to improve roadway to County cross-section standards is similar to the allocation of cost for improvements to address LOS impacts. For a roadway segment that is currently below the traffic volume thresholds shown in Table 5 but would exceed those thresholds by 2040, the entire cost of improving that segment to the County standard will be allocated to new development. This is the case for improvements to Driftwood Drive. If that roadway has an increase in the amount of through traffic then new development within the AOB is allocated a percentage of costs based on the number of trips associated with new development within the AOB. This method did not apply to any improvements on the Bay Point AOB project list.

For a roadway segment that currently has a traffic volume above the volume thresholds in Table 5 and does not meet the County's applicable cross-section standards (an existing deficiency), the percent cost share for new development in the AOB is equal to the number of new trips on a roadway segment that have either their origin or destination within the AOB divided by all trips on that roadway, both from existing and new development. This method applies to improvements along Port Chicago Highway, Bailey Road and Loftus Road (see Table 7)

## 6.3 Bikeway and Walkway Improvements

On roadways that require improvements to meet the County's LOS or pavement width standards, bicycle and pedestrian facilities will be incorporated and the costs will be allocated to new development by the methods described under improvements needed to meet LOS standards, in Section 6.1 above

For projects that focus on bicycle and pedestrian safety, including Bailey Road and Loftus Road, the improvements would benefit both existing and future residents and the cost allocated to new development will equal new development's proportional share of the total future traffic volumes on those roadways.

## 6.4 Summary of Cost Allocation

**Table 8** summarizes the allocation of the cost for each of the selected projects that will have funding from the Bay Point AOB Program.



**Table 8**  
**Allocation of Project Costs to Bay Point AOB Program**

Roadway		Location	Recommended Project	Estimated Total Cost	Percent Allocated to AOB	Cost Allocated to AOB
Willow Pass Rd	1.1	West interchange at SR 4	Signalize EB and WB off-ramps	\$1,088,000	12	\$130,560
	1.2	Evora Rd at Willow Pass Ct	Intersection improvements	\$803,000	70	\$562,100
	2.1	Bailey Rd to Pittsburg City Limits	Restripe to improve capacity	\$214,000	40	\$85,600
	2.2	Intersection at Bailey Rd	Intersection improvements	\$1,058,000	40	\$423,200
Port Chicago Highway	3.1	Driftwood to West of McAvoy Rd	Pedestrian and bicycle improvements	\$2,830,000	38	\$1,075,400
	3.2	West of McAvoy Rd to Pacifica Ave	Re-align curve and add pedestrian and bicycle improvements	\$2,267,000	48	\$1,088,160
	4	NE quadrant of Intersection with Willow Pass Rd	Multi-modal safety improvements	\$1,784,000 <sup>(1)</sup>	32.8	\$585,152
Driftwood Dr	5	Port Chicago Hwy to Pacifica Ave	Pedestrian and bicycle improvements	\$2,457,000	100	\$2,457,000
Pacifica Ave	6	Port Chicago Hwy to Alves Lane Ext	Extend roadway	\$4,773,000	100	\$4,773,999
Alves Lane	7	Willow Pass Rd to Pacifica Ave Ext	Extend roadway	\$4,516,000	100	\$4,516,000
Loftus Rd	8	Canal Rd to Willow Pass Rd	Pedestrian and bicycle improvements	\$1,873,000	6	\$112,380
Bailey Rd	9	Willow Pass Rd to Canal Rd	Pedestrian and bicycle improvements	\$9,731,000 <sup>(2)</sup>	6	\$583,860
	10	Canal Rd to BART		\$7,140,000 <sup>(2)</sup>	6	\$428,400
Total				\$40,534,000	41	\$16,820,812
Sources: DKS Associates except (1) Contra Costa County Public Works and (2) BMS Design Group						

The County has various methods for funding transportation improvements within the Bay Point AOB boundary. While the Bay Point AOB fee program is one method, additional funding will need to be obtained from Federal, State and local grants (such as ATP, SRTS, BTA, etc.) or other sources to fund the cost of the improvements not allocated to new development in the Bay Point AOB. On an on-going basis, the County will assess the unconstructed projects on the AOB project list and determine project priorities. As enough funding becomes available from all sources to implement “priority” projects, the County will implement those projects.

## 7. Method for Calculating Fees

### Land Use Categories

The calculation of fees for the Bay Point AOB Program Update will be based on the general land use categories that can be derived for all areas of the County from CCTA's travel demand model. These general categories are the following:

<u>Land Use Type</u>	<u>Units</u>
Single-Family	Dwelling units (DU)
Multi-Family	Dwelling units (DU)
Commercial/Retail	Sq. Ft.
Office	Sq. Ft
Industrial	Sq. Ft

### Dwelling Unit Equivalents

In the allocation of costs to various types of development, each development type will be assigned a "dwelling unit equivalent" or "DUE" rate. DUEs are numerical measures of how the trip-making characteristics of a land use compare to a typical single-family residential unit, which is assigned a DUE of 1. Land uses that have greater overall traffic impacts than a typical single-family residential unit are assigned values greater than 1, while land uses with lower overall traffic impacts than a typical single-family residential unit are assigned DUE values less than 1.

DUEs are developed by comparing both the trip generation and trip length characteristics of various land uses to those same rates for a typical single-family residential unit. Since roadway needs are primarily based on traffic flows and conditions during the PM peak hour on an average weekday, the DUEs reflect the relative trip generation for the peak hour. Also considered in the calculation of DUEs are "percent new" trips, since some of the vehicles attracted to non-residential uses would have been on the roadway system regardless of the presence of the traffic generated by the new development. Average trip lengths for the remaining "primary" trips generated by a development are then utilized to better reflect overall impact of longer trips on the County's roadway system.

The DUE rates will thus be based on estimates of the average vehicle-miles of travel (VMT) generated during the PM peak hour for each general land use type. The DUE rates used to estimate the AOB fees are shown in **Table 9**.

Table 9 Dwelling Unit Equivalent (DUE) Rates						
Land Use Category	PM Peak Hour Trip Rate per Unit <sup>1</sup>	Unit	Trip Length (miles) <sup>2</sup>	Percent New trips <sup>2</sup>	VMT per Unit	DUE per Unit
Singe Family	1.01	Dwelling Unit	5.0	100	5.050	1.00
Multi-Family	0.62		5.0	100	3.100	0.61
Retail	4.10	Square Feet	2.3	76	7.167	0.00142
Office	1.40		4.5	92	5.796	0.00115
Industrial	0.98		5.1	92	4.598	0.00091
<sup>1</sup> ITE Trip Generation 7th Edition <sup>2</sup> ITE Journal, May 1992 Source: DKS Associates, 2014						

### Fee Calculation

The cost per DUE (i.e. cost for a typical single-family dwelling unit) is calculated by dividing the total costs allocated to new development in the AOB (methods described above) minus the current fund balance in the Bay Point AOB by the total growth in DUEs in the AOB by 2040 (see **Table 10**).

The cost for each land use type is then based on its DUE rate. The nexus-based fee rates are shown in **Table 11**.

Table 10 Growth in DUEs				
Land Use Category	Unit	Growth in Units <sup>1</sup>	DUE per Unit	Growth in DUEs
Single Family	Dwelling Unit	416	1.00	416
Multi-Family		1,014	0.61	619
Retail	Square Feet	237,000	0.00142	337
Office		310,000	0.00115	357
Industrial		317,000	0.00091	288
				2,017
<sup>1</sup> See Table 2: "Summary of Estimated Development 2010 to 2040 Growth"				
Source: DKS Associates, 2014				

Table 11 Nexus-Based Fee Rates for Bay Point AOB			
Cost of Improvements Allocated to AOB Growth		\$16,820,812	
Current AOB Fund Balance		\$946,311	
Unfunded Costs of Improvements Allocated to AOB Growth		\$15,874,501	
Growth in Dwelling Unit Equivalents (DUE's)		2,017	
Cost per DUE		\$7,870	
Land Use	Units	DUE per Unit	Fee per Unit <sup>1</sup>
Single Family	Dwelling Unit	1.00	\$7,870
Multi-Family	Dwelling Unit	0.61	\$4,801
Retail	Square Foot	0.00142	\$11.18
Office	Square Foot	0.00115	\$9.05
Industrial	Square Foot	0.00091	\$7.16
<sup>1</sup> Fee per Unit = (Cost per DUE) x (DUE per Unit)			
Source: DKS Associates, 2015			

## 8. Nexus Analysis

A nexus analysis has been prepared on the Bay Point AOB Program in accordance with the procedural guidelines established in AB1600, which is codified in California Government Section 66000 *et seq.* These code sections set forth the procedural requirements for establishing and collecting development impact fees. These procedures require that “a reasonable relationship or nexus must exist between a governmental exaction and the purpose of the condition.” Specifically, each local agency imposing a fee must:

- Identify the purpose of the fee;
- Identify how the fee is to be used;
- Determine how a reasonable relationship exists between the fee’s use and the type of development project on which the fee is imposed.
- Determine how a reasonable relationship exists between the need for the public facility and the type of development project on which the fee is imposed; and,
- Demonstrate a reasonable relationship between the amount of the fee and the cost of public facility or the portion of the public facility attributable to the development on which the fee is imposed.

### 8.1 Purpose of fee

The purpose of the Bay Point AOB Program is to fund improvements to the County’s major roadway, bicycle, and pedestrian facilities needed to accommodate travel demand generated by new land development in the unincorporated portion of Bay Point AOB over the next 27 years (through 2040).

The Bay Point AOB Program will help meet the County’s General Plan policies, including maintenance of adequate levels of service and safety for roadway facilities. New development in the unincorporated portions of the Bay Point AOB will increase the demand for all modes of travel (including walking, biking, transit, automobile and truck/goods movement) and, thus, the need for improvements to transportation facilities. The Bay Point AOB Program will help fund transportation facilities necessary to accommodate new residential and non-residential development in the unincorporated portions of the Bay Point AOB.

### 8.2 Use of Fees

The fees from new development in the Bay Point AOB Program will be used to fund additions and improvements to the transportation system needed to accommodate future travel demand resulting from residential and non-residential development within the Bay Point AOB. The Bay Point AOB Program will help fund improvements to roadways (include the widening or extensions of arterial and collector roadways, intersection improvements and provision of shoulders) bikeways and walkways plus fee program administration costs. The transportation improvements wholly or partially funded by the program are described in more detail in **Section 4**.

### 8.3 Relationship between use of Fees and Type of Development

Fee revenues generated by the Bay Point AOB Program will be used to develop the transportation improvements described in **Section 4**. All of these improvements increase the capacity, improve the safety, or facilitate the use of alternative modes (transit, bicycle, pedestrian) on those segments of the transportation system affected by new development. The results of the transportation modeling analysis

summarized in this report demonstrate that these improvements either mitigate impacts from and/or provide benefits to new development.

#### **8.4 Relationship between Need for Facility and Type of Development**

The projected residential and non-residential development described in **Section 3** will add to the incremental need for transportation facilities by increasing the amount of demand on the transportation system. The transportation analysis presented in **Section 4** demonstrates that improvements are required to minimize the negative impact on current levels of service caused by new development and/or accommodate the increased need for alternative transportation modes (transit, bicycle, pedestrian).

#### **8.5 Relationship between Amount of Fees and the Cost of Facility Attributed to Development upon which Fee is Imposed**

The basis for allocating improvement costs to development is described in **Section 6**. Construction of necessary transportation improvements will directly serve residential and non-residential development within the unincorporated portions of the AOB and will directly benefit development in those areas.

New development within the AOB is allocated a percentage of costs based on the number of new trips on a roadway segment or intersection that have either their origin or destination within the AOB divided by the total amount of trips from new development. The remaining percent of costs, reflecting new trips that have neither their origin nor destination in the AOB (through trips), are not allocated to development in the AOB. For facilities that have an “existing deficiency”, the cost of the improvement that is allocated to the Bay Point AOB Program is modified to account for that deficiency.

The fee that a developer pays for a new residential unit or commercial building varies by the type of development based on its impact on the transportation system. Each development type is assigned a “dwelling unit equivalent” or “DUE” rate based on its estimated vehicle-miles of travel (VMT) per unit of development.

DUE’s are numerical measures of how the trip-making characteristics of a land use compare to a single-family residential unit. DUE’s were developed by comparing both the trip generation and trip length characteristics of various land uses to those of the single-family residential units. Since roadway needs are primarily based on traffic flows and conditions during the peak hour on an average weekday, the DUE’s reflect the relative trip generation for the peak hour. Also considered in the calculation of DUE’s are “percent new” trips. The DUE rates were thus based on estimates of the average vehicle-miles of travel (VMT) generated during the peak hour for each general land use type.

#### **8.6 Current AOB Fund Balance**

As of March 2015 the Bay Point AOB had a fund balance of \$946,311. One of the projects on the 1998 list, Port Chicago Highway west of McAvoy Road to Pacifica Avenue, has not yet been completed and will carry over to the proposed project list as Project 3.2. The existing balance will be earmarked to fund this project.

**Appendix A**  
**Cost Estimates for Selected Projects in Bay Point AOB**

**Bay Point Area of Benefit  
Engineers Estimate Summary**

Project	Roadway	Location	Item Description	Total Cost
1.1	Willow Pass Road	Willow Pass Road at SR-4 EB and WB off-ramps	Project work includes the installation of two new traffic signals at the interchange of Willow Pass Rd with both eastbound and westbound off ramps plus the restriping of the intersection approaches.	\$1,088,000
1.2	Willow Pass Road	Willow Pass Road between Evora Road and SR-4	Project work includes the widening of Willow Pass Road. Project also includes the the modification of the Willow Pass Road/Evora Road traffic signal and restriping of the intersection approaches.	\$803,000
2.1	Willow Pass Road	Willow Pass Road between Bailey Road and Pittsburg City Limits	Project work includes the restriping of Willow Pass Road to provide four travel lanes and application of a slurry seal.	\$214,000
2.2	Willow Pass Road	Willow Pass Road at Bailey Road	Project work includes the widening of Willow Pass Rd to accommodate an additional WBL and a new EBR turn lane. Project also includes restriping Bailey Rd to accommodate an additional NBR turn lane.	\$1,058,000
3.1	Port Chicago Highway	Port Chicago Hwy from Driftwood Dr to west of McAvoy Road	Project work includes the addition of an 8' bike lane/shoulder along both sides of Port Chicago Highway, and a 6.5' sidewalk along on the south side.	\$2,830,000
3.2	Port Chicago Highway	Port Chicago Hwy from west of McAvoy Rd to Pacifica Ave	Project would realign the sharp horizontal curve in Port Chicago Highway, add an EBL turn pocket at McAvoy Road, and add sidewalks along both sides of Port Chicago Highway.	\$2,267,000
4	Port Chicago Highway (1)	Port Chicago Highway at Willow Pass Road	Project would widen Port Chicago Highway to provide two 4' bike lanes and a 6.5' sidewalk along the east side of the roadway. Project would also add a 6.5' sidewalk along the north side of Willow Pass Road and a 5' bike lane in the westbound direction of Willow Pass Road. Finally, project would demolish the existing sweeping free right turn along westbound Willow Pass Road and replace with a 200' westbound right turn pocket.	\$1,784,000
5	Driftwood Drive	Driftwood Drive from Port Chicago Highway to Pacifica Avenue	Project work includes the addition of 6' shoulders and 6.5' sidewalk along both sides of Driftwood Drive.	\$2,457,000
6	Pacifica Avenue	Port Chicago Highway to Alves Lane Extension	Project work includes the construction of a new roadway (including bike lanes and sidewalk) and modification of the existing traffic signal and Pacifica Avenue and Port Chicago Highway.	\$4,773,000
7	Alves Lane	Willow Pass Road to Pacifica Avenue Extension	Project work includes the construction of a new roadway (including bike lanes and sidewalk) and modification of the existing traffic signal and Alves Lane and Willow Pass Road.	\$4,516,000
8	Loftus Road	Loftus Road from Willow Pass Road to Canal Road	Project would add 5' bike lanes and 5' sidewalk on both sides of Loftus Road.	\$1,873,000
	Bailey Road (2)	Willow Pass Rd to Canal Rd	Pedestrian & bike Improvments	\$9,731,000
		Canal Rd to BART	Pedestrian & bike Improvments	\$7,140,000
TOTAL				\$40,534,000

Sources: DKS Associates except (1) Contra Costa County Public Works and (2) BMS Design Group



**DKS Associates**

1970 Broadway Ste 740, Oakland CA 94612

**Planning Cost Estimate****Project Number****1.1**
☒ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.

☐ Click here if this project is a surface treatment or overlay project.

Project Name: Signalization of Willow Pass Road &amp; SR-4 Ramp Intersections

Project Location: Willow Pass Road at SR-4 EB and WB off-ramps

Description: Signalize EB and WB off-ramps

Project Length (ft): 200

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.

Revision Date

Revised by

No.	Description	Quantity	Units	Unit Cost	Total
1	Install traffic signal with safety lighting	6	EA	\$ 90,000.00	\$ 540,000
2	Temporary traffic control	1	LS	\$ 14,000.00	\$ 14,000
3	Removal of signs	1	LS	\$ 500.00	\$ 500
4	Removal of pavement legends	1	LS	\$ 1,000.00	\$ 1,000
5	Thermoplastic striping for crosswalks	1	LS	\$ 2,000.00	\$ 2,000
6	ADA curb ramps	15	EA	\$ 3,000.00	\$ 45,000
7	Mobilization	1	LS	\$ 59,000.00	\$ 59,000

CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000) \$ 603,000

Planning Engineering (TE)	\$ 66,200	Contract Items	\$ 662,000
Preliminary Engineering (Design/Survey)*	\$ 100,000	Other Costs (CON)	\$ 100,000
Utility Coordination (Design)	\$ 30,000	Contingency*	\$ 100,000
Environmental (Environmental, Real Property)	\$ 30,000	Subtotal (Contract Items)	\$ 862,000
R/W Engineering (Survey)	\$ -	Subtotal (Plan)	\$ 66,200
Real Property Labor	\$ -	Subtotal (PE)	\$ 160,000
R/W Acquisition	\$ -	Subtotal (R/W)	\$ -
Construction Engineering *	\$ 100,000		
Environmental Monitoring and Mitigation Fees	\$ -		
SUBTOTAL of OTHER COSTS (ALL)	\$ 326,200		
		Grand Total	\$ 1,088,200

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

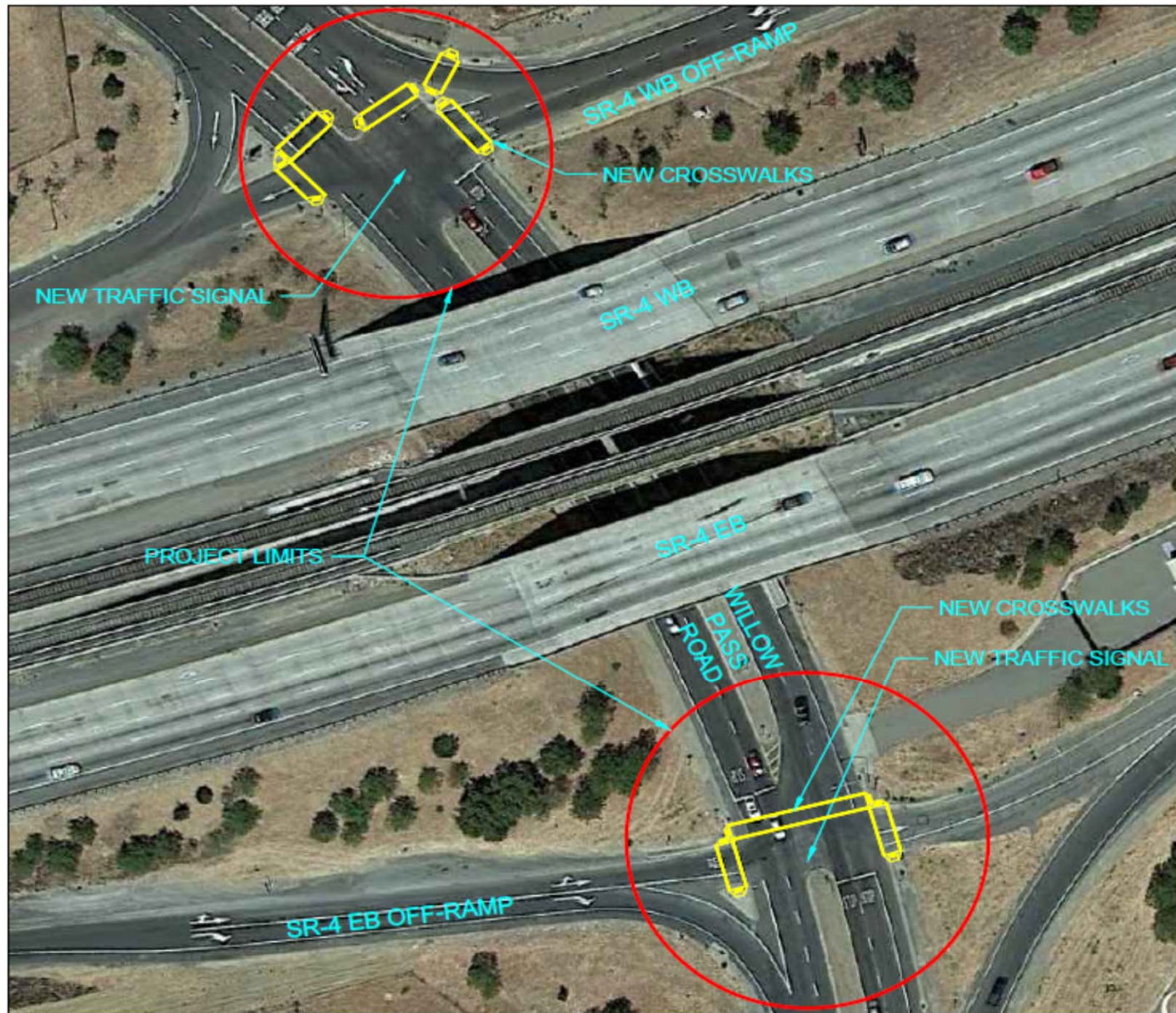
Current Year 2014

Escalation Year 2014

Escalation Rate 0.0%

➤ **TOTAL (in 2014 dollars) \$ 1,088,000**

### Project 1.1: Signalization of Willow Pass Road & SR-4 Ramp Intersections



**DKS Associates**

1970 Broadway Ste 740. Oakland CA 94612

**Planning Cost Estimate****Project Number****1.2**☒ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.☐ Click here if this project is a surface treatment or overlay project.

Project Name: Willow Pass Road Widening

Project Location: Willow Pass Road between Evora Road and SR-4

Description Intersection improvements

Project Length (ft): 340

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.

Revision Date

Revised by

No.	Description	Quantity	Units	Unit Cost	Total
1	Construction Area Signs	2	EA	\$550.00	\$ 1,100
2	Temporary traffic control	1	LS	\$20,000.00	\$ 20,000
3	Prepare Water Pollution Control Plan	1	LS	\$6,000.00	\$ 6,000
4	Remove Pavement	3450	SF	\$3.00	\$ 10,350
5	Clearing and Grubbing	1	LS	\$30,000.00	\$ 30,000
6	Saw Cut Pavement Edges	680	LF	\$2.00	\$ 1,360
7	Roadway Excavation	420	CY	\$45.00	\$ 18,900
8	Imported Material (Shoulder Backing)	10	TON	\$45.00	\$ 450
9	Class 2 Aggregate Base	80	CY	\$65.00	\$ 5,200
10	Hot Mix Asphalt (Type A)	80	TON	\$110.00	\$ 8,800
11	Curb and Gutter	490	LF	\$35.00	\$ 17,150
12	Roadside Sign - One Post	2	EA	\$350.00	\$ 700
13	Concrete Sidewalk	2535	SF	\$7.50	\$ 19,013
14	ADA Curb Ramps	5	EA	\$3,000.00	\$ 15,000
15	Misc. Drainage Modifications	1	LS	\$17,900.00	\$ 17,900
16	Sign Relocation	2	EA	\$300.00	\$ 600
17	Thermoplastic Traffic Stripe - Det. 21, No Passing Zones	825	LF	\$3.00	\$ 2,475
18	Thermoplastic Traffic Stripe - Det. 27B, Right Edge Line	825	LF	\$2.00	\$ 1,650
19	Modify Traffic Signal Approach	3	EA	\$ 75,000.00	\$ 225,000
20	Mobilization	1	LS	\$ 40,200.00	\$ 40,200

CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000) \$ 402,000

Planning Engineering (TE)	\$ 45,000	Contract Items	\$ 442,000
Preliminary Engineering (Design/Survey)*	\$ 100,000	Other Costs (CON)	\$ 89,000
Utility Coordination (Design)	\$ 30,000	Contingency*	\$ 67,000
Environmental (Environmental, Real Property)	\$ 30,000	Subtotal (Contract Items)	\$ 598,000
R/W Engineering (Survey)	\$ -	Subtotal (Plan)	\$ 45,000
Real Property Labor	\$ -	Subtotal (PE)	\$ 160,000
R/W Acquisition	\$ -	Subtotal (R/W)	\$ -
Construction Engineering *	\$ 89,000		
Environmental Monitoring and Mitigation Fees	\$ -		
SUBTOTAL of OTHER COSTS (ALL)	\$ 294,000		
		Grand Total	\$ 803,000

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

Current Year 2014

Escalation Year 2014

Escalation Rate 0.0%

**➤ TOTAL (in 2014 dollars) \$ 803,000**



## Project 1.2: Willow Pass Road Widening



**DKS Associates**

1970 Broadway Ste 740, Oakland CA 94612

**Planning Cost Estimate****Project Number****2.1**
☐ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.

☒ Click here if this project is a surface treatment or overlay project.

Project Name: Willow Pass Road Restriping

Project Location: Willow Pass Road between Bailey Road and Pittsburg City Limits

Description: Restripe to improve capacity

Project Length (ft): 2563

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.

Revision Date

Revised by

No.	Description	Quantity	Units	Unit Cost	Total
1	Restriping lanes with thermoplastic	2563	LF	\$8.00	\$ 20,504
2	Asphaltic emulsion-slurry seal	17087	SY	\$1.00	\$ 17,087
3	Install new traffic signs	2563	LF	\$0.50	\$ 1,282
4	Temporary traffic control	1	LS	\$10,000.00	\$ 10,000
5	Mobilization	1	LS	\$ 4,900.00	\$ 4,900

CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000) \$ 49,000

Planning Engineering (TE)	\$ 30,000	Contract Items	\$ 54,000
Preliminary Engineering (Design/Survey)*	\$ 100,000	Other Costs (CON)	\$ 20,000
Utility Coordination (Design)	\$ -	Contingency*	\$ 10,000
Environmental (Environmental, Real Property)	\$ -	Subtotal (Contract Items)	\$ 84,000
R/W Engineering (Survey)	\$ -	Subtotal (Plan)	\$ 30,000
Real Property Labor	\$ -	Subtotal (PE)	\$ 100,000
R/W Acquisition	\$ -	Subtotal (R/W)	\$ -
Construction Engineering *	\$ 20,000		
Environmental Monitoring and Mitigation Fees	\$ -		
SUBTOTAL of OTHER COSTS (ALL)	\$ 150,000		
		Grand Total	\$ 214,000

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

Current Year 2014

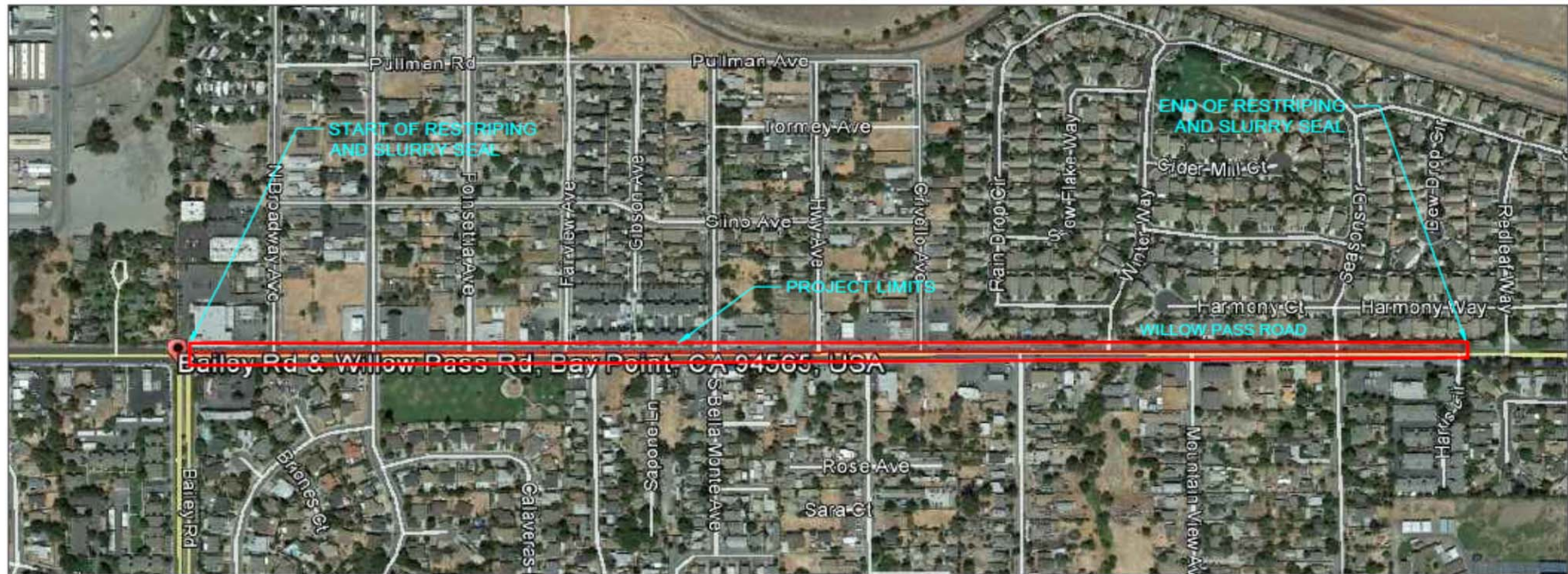
Escalation Year 2014

Escalation Rate 0.0%

**➤ TOTAL (in 2014 dollars) \$ 214,000**



## Project 2.1: Willow Pass Road Restriping



**DKS Associates**

1970 Broadway Ste 740, Oakland CA 94612

**Planning Cost Estimate****Project Number****2.2**☒ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.☐ Click here if this project is a surface treatment or overlay project.

Project Name: Willow Pass Road &amp; Bailey Road Intersection Improvements

Project Location: Willow Pass Road at Bailey Road

Description: Intersection improvements

Project Length (ft): N/A

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.  
Revision Date  
Revised by

No.	Description	Quantity	Units	Unit Cost	Total
<b>Widen Willow Pass Road to accommodate additional WBL turn lane</b>					
1	Class 2 Aggregate Base	156	CY	\$65.00	\$ 10,200
2	Hot Mix Asphalt (Type A)	116	Ton	\$110.00	\$ 12,800
3	Lane restriping	175	LF	\$8.00	\$ 1,400
4	Demolish existing S/W, landscaping, pavement	1	LS	\$20,000.00	\$ 20,000
5	Excavation	156	CY	\$65.00	\$ 10,200
6	Reconstruct Concrete Curb and Gutter	175	LF	\$35.00	\$ 6,200
7	Reconstruct Concrete Sidewalk	875	SF	\$7.50	\$ 6,600
8	Relocate traffic signal equipment (one quadrant)	1	LS	\$75,000.00	\$ 75,000
9	Construct New Curb Ramp	1	EA	\$3,000.00	\$ 3,000
10	Misc. Drainage Modifications	1	LS	\$28,900.00	\$ 28,900
WB Left Turn Lane Subtotal (LS):					\$ 174,300
<b>Widen Willow Pass Road to accommodate exclusive EBR turn lane</b>					
11	Class 2 Aggregate Base	89	CY	\$65.00	\$ 5,800
12	Hot Mix Asphalt (Type A)	66	Ton	\$110.00	\$ 7,300
13	Lane restriping	100	LF	\$8.00	\$ 800
14	Demolish existing S/W and pavement	1	LS	\$11,500.00	\$ 11,500
15	Excavation	51	CY	\$65.00	\$ 3,400
16	Reconstruct Concrete Curb and Gutter	100	LF	\$35.00	\$ 3,500
17	Reconstruct Concrete Sidewalk	500	SF	\$7.50	\$ 3,800
18	Relocate traffic signal equipment (one quadrant)	1	LS	\$75,000.00	\$ 75,000
19	Construct New Curb Ramp	1	EA	\$3,000.00	\$ 3,000
20	Misc. Drainage Modifications	1	LS	\$22,700.00	\$ 22,700
EB Right Turn Lane Subtotal (LS):					\$ 136,800
<b>Restripe Bailey Road for second NBR turn lane</b>					
21	Lane restriping	210	LF	\$8.00	\$ 1,700
Restriping Subtotal (LS):					\$ 1,700
<b>Modify traffic signal</b>					
22	Modify traffic signal approach	2	EA	\$75,000.00	\$ 150,000
Signal Modification Subtotal (LS):					\$ 150,000
23	Construction Area Signs	1	EA	\$550.00	\$ 550
24	Temporary traffic control	1	LS	\$46,300.00	\$ 46,300
25	Prepare Water Pollution Control Plan	1	LS	\$6,000.00	\$ 6,000
26	Surveying	1	LS	\$30,000.00	\$ 30,000
27	Mobilization	1	LS	\$ 54,600.00	\$ 54,600

CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000) \$ 546,000

**Project Number**

**2.2**

Planning Engineering (TE)	\$ 55,000
Preliminary Engineering (Design/Survey) *	\$ 100,000
Utility Coordination (Design)	\$ 30,000
Environmental (Environmental, Real Property)	\$ 30,000
R/W Engineering (Survey)	\$ 30,000
Real Property Labor	\$ 20,000
R/W Acquisition	\$ 12,600
Construction Engineering *	\$ 90,000
Environmental Monitoring and Mitigation Fees	\$ -
SUBTOTAL of OTHER COSTS (ALL)	\$ 367,600

Contract Items	\$ 600,000
Other Costs (CON)	\$ 90,000
Contingency *	\$ 90,000

Subtotal (Contract Items)	\$ 780,000
Subtotal (Plan)	\$ 55,000
Subtotal (PE)	\$ 160,000
Subtotal (R/W)	\$ 62,600

Grand Total	\$ 1,057,600
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Current Year 2014

Escalation Year 2014

Escalation Rate 0.0%

➤ **TOTAL (in 2014 dollars) \$ 1,058,000**

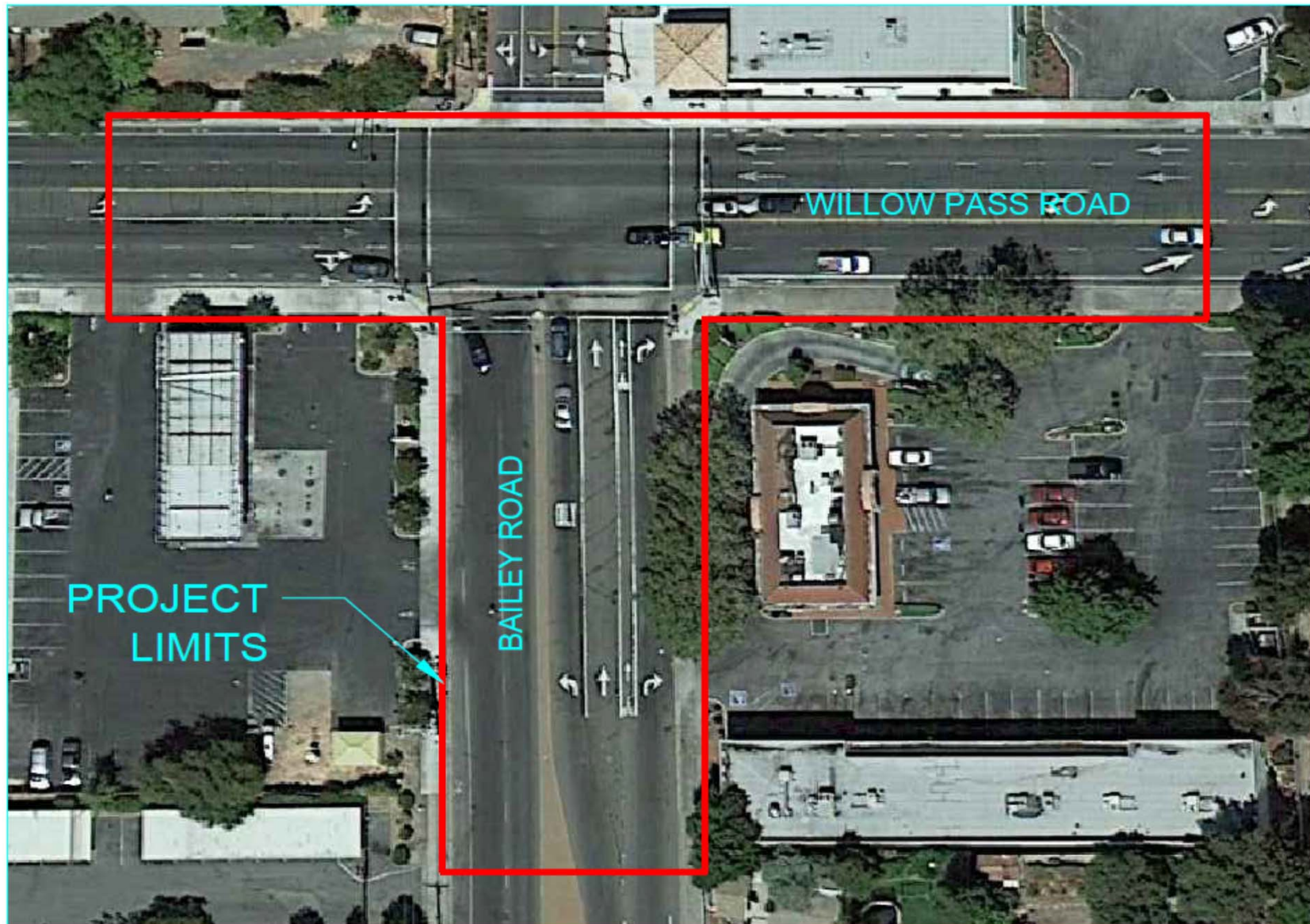
\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)



Project 2.2: Willow Pass Road & Bailey Road Intersection Improvements



**DKS Associates**

1970 Broadway Ste 740, Oakland CA 94612

**Planning Cost Estimate****Project Number****3.1**
☒ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.

☐ Click here if this project is a surface treatment or overlay project.

Project Name: Port Chicago Highway Sidewalk and Bike Lanes

Project Location: Port Chicago Hwy from Driftwood Dr to west of McAvoy Road

Description: Pedestrian and bicycle improvements

Project Length (ft): 4962

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

 Revision No.  
 Revision Date  
 Revised by

No.	Description	Quantity	Units	Unit Cost	Total
1	Clearing and grubbing	79392	SF	\$0.50	\$ 39,696
2	Earthwork	79392	SF	\$2.00	\$ 158,784
3	Class 2 Aggregate Base	4416	CY	\$65.00	\$ 287,052
4	Hot Mix Asphalt (Type A)	3291	Ton	\$110.00	\$ 362,042
5	Striping	4962	LF	\$3.00	\$ 14,886
6	Concrete Sidewalk	32253	SF	\$7.50	\$ 241,898
7	Curb & Gutter	9924	LF	\$35.00	\$ 347,340
8	ADA curb ramp	7	EA	\$3,000.00	\$ 21,000
9	Temporary traffic control	1	LS	\$73,600.00	\$ 73,600
10	Mobilization	1	LS	\$ 154,600.00	\$ 154,600

CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000) \$ 1,546,000

Planning Engineering (TE)	\$ 155,000	Contract Items	\$ 1,701,000
Preliminary Engineering (Design/Survey) *	\$ 256,000	Other Costs (CON)	\$ 256,000
Utility Coordination (Design)	\$ 147,000	Contingency *	\$ 256,000
Environmental (Environmental, Real Property)	\$ 59,000	Subtotal (Contract Items)	\$ 2,213,000
R/W Engineering (Survey)	\$ -	Subtotal (Plan)	\$ 155,000
Real Property Labor	\$ -	Subtotal (PE)	\$ 462,000
R/W Acquisition	\$ -	Subtotal (R/W)	\$ -
Construction Engineering *	\$ 256,000		
Environmental Monitoring and Mitigation Fees	\$ -		
SUBTOTAL of OTHER COSTS (ALL)	\$ 873,000		
		Grand Total	\$ 2,830,000

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

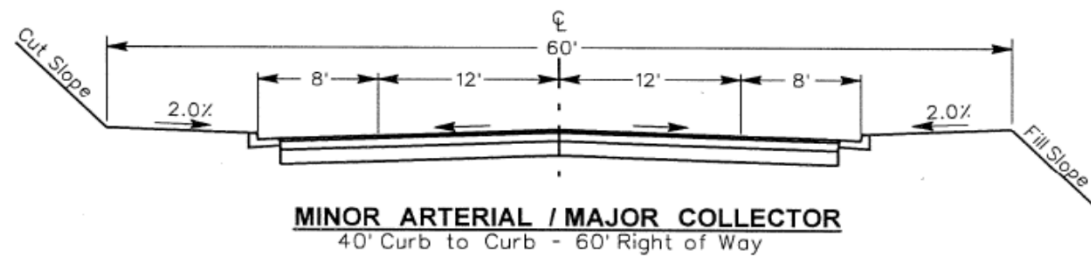
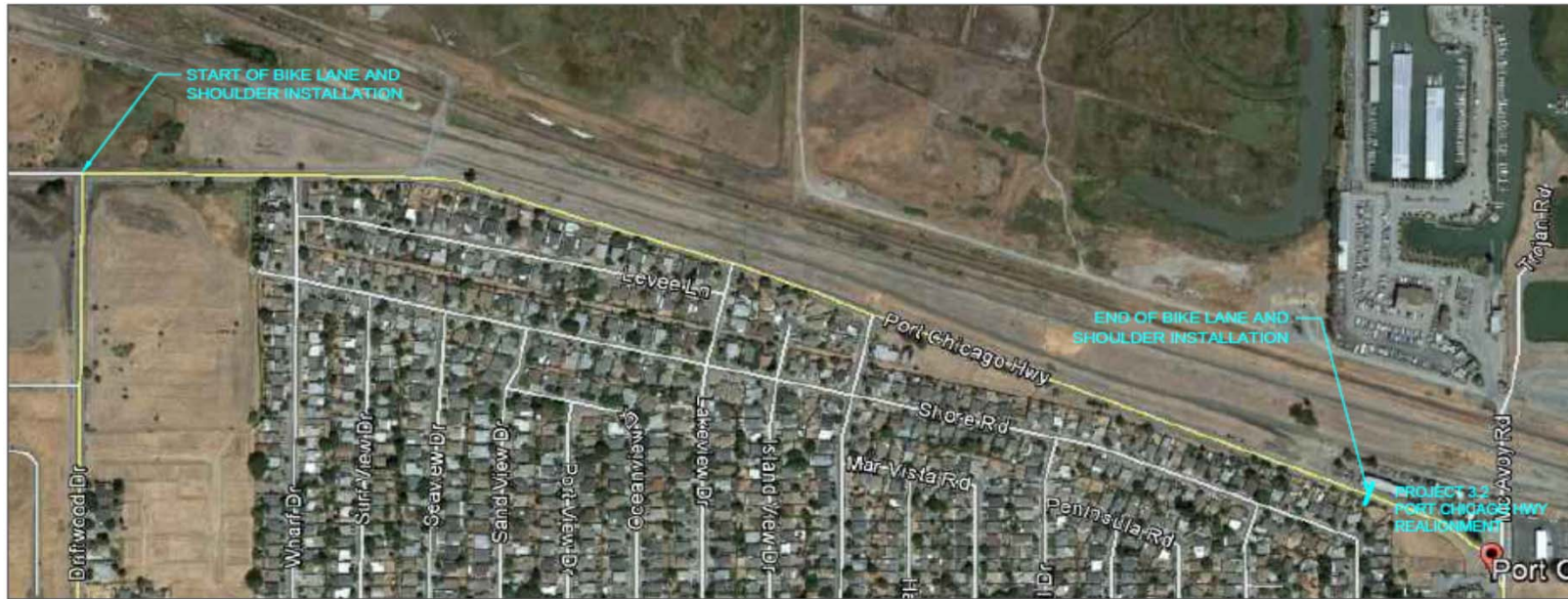
\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

 Current Year 2014  
 Escalation Year 2014  
 Escalation Rate 0.0%
**➤ TOTAL (in 2014 dollars) \$ 2,830,000**



### Project 3.1: Port Chicago Highway Sidewalk and Bike Lanes



**DKS Associates**

1970 Broadway Ste 740, Oakland CA 94612

**Planning Cost Estimate****Project Number****3.2**☒ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.☐ Click here if this project is a surface treatment or overlay project.

Project Name: Port Chicago Highway Realignment

Project Location: Port Chicago Hwy from west of McAvoy Rd to Pacifica Ave

Description: Project would realign the sharp horizontal curve in Port Chicago Highway, add an EBL turn pocket at McAvoy Road, and add sidewalks along both sides of Port Chicago Highway.

Project Length (ft): 1025

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.	1
Revision Date	8/1/2016
Revised by	J. Long

No.	Description	Quantity	Units	Unit Cost	Total
<b>Section 1 Realignment (50' length)</b>					
1	Roadway Excavation	3116	CY	\$70.00	\$ 218,200
2	Class 2 Aggregate Base	148	CY	\$65.00	\$ 9,700
3	Hot Mix Asphalt (Type A)	83	Ton	\$110.00	\$ 9,100
4	Striping	50	LF	\$3.00	\$ 200
5	Curb & gutter	100	LF	\$35.00	\$ 3,500
6	Concrete sidewalk	650	SF	\$7.50	\$ 4,900
Section 1 Subtotal (LS):					\$ 245,600
<b>Section 2 Realignment (400' length)</b>					
7	Roadway Excavation	1704	CY	\$70.00	\$ 119,300
8	Class 2 Aggregate Base	1363	CY	\$65.00	\$ 88,600
9	Hot Mix Asphalt (Type A)	501	Ton	\$110.00	\$ 55,200
10	Striping	400	LF	\$3.00	\$ 1,200
11	Curb & gutter	800	LF	\$35.00	\$ 28,000
12	Concrete sidewalk	5200	SF	\$7.50	\$ 39,000
Section 2 Subtotal (LS):					\$ 331,300
<b>Section 3 Realignment (350' length)</b>					
13	Roadway Excavation	1458	CY	\$70.00	\$ 102,100
14	Class 2 Aggregate Base	1167	CY	\$65.00	\$ 75,900
15	Hot Mix Asphalt (Type A)	780	Ton	\$110.00	\$ 85,800
16	Striping	350	LF	\$3.00	\$ 1,100
17	Curb & gutter	700	LF	\$35.00	\$ 24,500
18	Concrete sidewalk	4550	SF	\$7.50	\$ 34,200
Section 3 Subtotal (LS):					\$ 323,600
<b>Section 4 Realignment (100' length)</b>					
19	Roadway Excavation	139	CY	\$70.00	\$ 9,800
20	Hot Mix Asphalt (Type A)	62	Ton	\$110.00	\$ 6,900
21	Striping	100	LF	\$3.00	\$ 300
22	Curb & gutter	100	LF	\$35.00	\$ 3,500
23	Concrete sidewalk	650	SF	\$7.50	\$ 4,900
24	ADA Curb Ramp	2	EA	\$3,000.00	\$ 6,000
Section 4 Subtotal (LS):					\$ 31,400
<b>Section 5 Realignment (125' length)</b>					
25	Roadway Excavation	185	CY	\$70.00	\$ 13,000
26	Class 2 Aggregate Base	148	CY	\$65.00	\$ 9,700
27	Hot Mix Asphalt (Type A)	99	Ton	\$110.00	\$ 10,900
28	Striping	125	LF	\$3.00	\$ 400
29	Curb & gutter	250	LF	\$35.00	\$ 8,800
30	Concrete sidewalk**	6175	SF	\$7.50	\$ 46,400
31	ADA Curb Ramp	2	EA	\$3,000.00	\$ 6,000
Section 5 Subtotal (LS):					\$ 95,200

32	Construction Area Signs	1	EA	\$550.00	\$ 550
33	Clearing and grubbing	1	LS	\$30,000.00	\$ 30,000
34	Temporary traffic control	1	LS	\$102,700.00	\$ 102,700
35	Prepare Water Pollution Control Plan	1	LS	\$6,000.00	\$ 6,000
36	Surveying	1	LS	\$30,000.00	\$ 30,000
37	Mobilization	1	LS	\$ 119,600.00	\$ 119,600

CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000) \$ 1,196,000

Planning Engineering (TE)	\$ 120,000	Contract Items	\$ 1,316,000
Preliminary Engineering (Design/Survey) *	\$ 198,000	Other Costs (CON)	\$ 198,000
Utility Coordination (Design)	\$ 90,000	Contingency *	\$ 198,000
Environmental (Environmental, Real Property)	\$ 51,000	Subtotal (Contract Items)	\$ 1,712,000
R/W Engineering (Survey)	\$ 30,000	Subtotal (Plan)	\$ 120,000
Real Property Labor	\$ 30,000	Subtotal (PE)	\$ 339,000
R/W Acquisition	\$ 36,400	Subtotal (R/W)	\$ 96,400
Construction Engineering *	\$ 198,000		
Environmental Monitoring and Mitigation Fees	\$ -		
SUBTOTAL of OTHER COSTS (ALL)	\$ 753,400		
		Grand Total	\$ 2,267,400

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

\*\* Project includes additional 700 ft. of sidewalk between Skipper Rd and Pacifica Ave

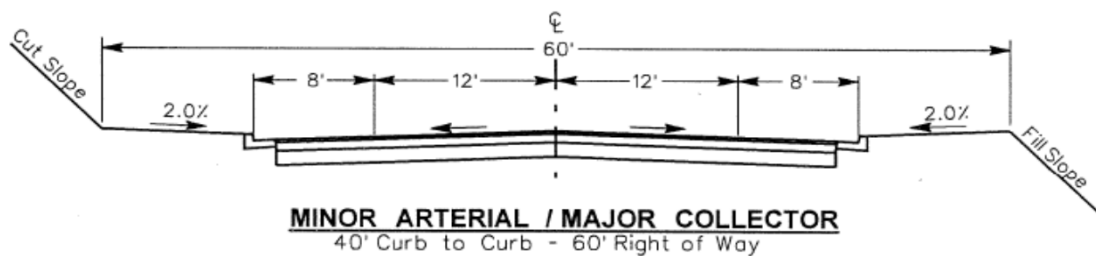
Current Year 2014  
Escalation Year 2014  
Escalation Rate 0.0%

➤ TOTAL (in 2014 dollars) \$ 2,267,000



### Project 3.2: Port Chicago Highway Realignment

Note: Project also includes 700 feet of sidewalk along Port Chicago Hwy between Skipper Rd and Pacifica Ave



# Transportation Engineering

# Planning Cost Estimate

Contra Costa County Department of Public Works

WO 4051

- ☒ Click here if the project schedule for this project is to be 50 days or  
☐ Click here if this project is a surface treatment or overlay project.

**Project Name:** Port Chicago HWY-Willow Pass Road Bike Lane and Pedestrian Improvements

**Alternative:** Ultimate Alternative: Sidewalk/curb Improvements, revised bike lanes , signal modifications, and island modifications to T-Intx

**Project Location:** Port Chicago HWY-Willow Pass Road Intersection from Lynbrook Drive to Weldon Street

**Assumptions:** R=5.0, TI = 9.0

**Project Length (ft):** 1400

**Date of Estimate:** Apr. 30, 2014

**Prepared by:** L. Leong

Revision No.  
Revision Date  
Revised by

No.	Description	Quantity	Units	Unit Cost	Total
1	Mobilization	1	LS	\$ 57,000.00	\$ 57,000
2	Traffic Control	1	LS	\$ 40,000.00	\$ 40,000
3	Construction Area Signs	6	EA	\$ 550.00	\$ 3,300
4	Pavement Striping Removal	870	LF	\$ 1.50	\$ 1,305
5	Pavement Marking Removal	126	SF	\$ 10.00	\$ 1,260
6	Saw Cut	1000	LF	\$ 3.25	\$ 3,250
7	Clearing and Grubbing	1	LS	\$ 14,000.00	\$ 14,000
8	Remove AC Curb	617	LF	\$ 9.00	\$ 5,553
9	Roadway Excavation	640	CY	\$ 50.00	\$ 31,983
10	Minor Concrete Sidewalk	12520	SF	\$ 12.50	\$ 156,500
11	Curb and Gutter	1353	LF	\$ 35.00	\$ 47,355
12	ADA Curb Ramps	5	EA	\$ 3,500.00	\$ 17,500
13	Minor Utility Adjustment	1	LS	\$ 15,000.00	\$ 15,000
14	Driveway Conform	1	EA	\$ 5,000.00	\$ 5,000
15	Aggregate Base	1209	TON	\$ 40.00	\$ 48,359
16	Hot Mix Asphalt	307	TON	\$ 185.00	\$ 56,756
17	Traffic Sign Installation - Bike Lane	4	EA	\$ 350.00	\$ 1,400
18	Traffic Sign Replacement	6	EA	\$ 350.00	\$ 2,100
19	Island Modifications (remove Curb, Landscape, Irr.)	1	LS	\$ 210,900.00	\$ 210,900
20	Pavement Markings	1	LS	\$ 37,600.00	\$ 37,600
21	Traffic Signal Modifications	1	LS	\$ 60,000.00	\$ 60,000
22	Enhancement @ intx (comm. sign, wayfinding signage, etc.)	1	LS	\$ 40,000.00	\$ 40,000
23	Slurry Seal + \$10k add'l mobilization	13000	SY	\$ 1.75	\$ 32,750
24	Storm Drain Pipe, 18 in dia	80	LF	\$ 600.00	\$ 48,000
25	Type A DI	2	EA	\$ 5,000.00	\$ 10,000

PLANNING	Planning Engineering (TE)	\$ 102,000	CONTRACT ITEMS	\$ 947,000
PE	Preliminary Engineering (Design)	\$ 187,000	OTHER COSTS (CON)	\$ 186,000
	Utility Coordination (Design)	\$ 87,000	CONTINGENCY*	\$ 90,000
	Environmental	\$ 152,000	<b>SUBTOTAL (Pre-Con)</b>	\$ 561,000
	Survey Work	\$ 15,000	SUBTOTAL (PLAN)	\$ 102,000
R/W	Real Property Labor (including TCE's)	\$ 18,000	SUBTOTAL (PE)	\$ 426,000
	R/W Acquisition	\$ -	SUBTOTAL (R/W)	\$ 33,000
CON	Construction Engineering	\$ 163,000		
	Environmental Monitoring and Mitigation Fees	\$ 23,000	<b>GRAND TOTAL</b>	\$ 1,784,000
	<b>SUBTOTAL of OTHER COSTS (ALL)</b>	\$ 747,000		

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

\* Construction Engineering is 15% of contract items (\$20,000 min.)

\* CONTINGENCY is 10% of contract items plus construction engineering. (\$10,000 min.)

➤ **TOTAL (in 2013 dollars) \$ 1,784,000**



#### Project 4: Port Chicago Highway Complete Street



**DKS Associates**

1970 Broadway Ste 740, Oakland CA 94612

**Planning Cost Estimate****Project Number****5**☐ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.☐ Click here if this project is a surface treatment or overlay project.

Project Name: Driftwood Drive Safety Improvements

Project Location: Driftwood Drive from Port Chicago Highway to Pacifica Avenue

Description: Pedestrian and bicycle improvements

Project Length (ft): 2590

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.

Revision Date

Revised by

No.	Description	Quantity	Units	Unit Cost	Total
1	Clearing and grubbing	64750	SF	\$0.50	\$ 32,375
2	Earthwork	64750	SF	\$2.00	\$ 129,500
3	Class 2 Aggregate Base	863	CY	\$65.00	\$ 56,117
4	Hot Mix Asphalt (Type A)	641	Ton	\$110.00	\$ 70,513
5	Striping	2590	LF	\$3.00	\$ 7,770
6	Concrete sidewalk	33670	SF	\$7.50	\$ 252,525
7	Curb & Gutter	5180	LF	\$35.00	\$ 181,300
8	Misc drainage modifications	1	LS	\$388,500.00	\$ 388,500
9	Temporary traffic control	1	LS	\$55,900.00	\$ 55,900
10	Mobilization	1	LS	\$ 117,400.00	\$ 117,400

CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000) \$ 1,174,000

Planning Engineering (TE)	\$ 118,000	Contract Items	\$ 1,292,000
Preliminary Engineering (Design/Survey) *	\$ 194,000	Other Costs (CON)	\$ 194,000
Utility Coordination (Design)	\$ 56,000	Contingency*	\$ 194,000
Environmental (Environmental, Real Property)	\$ 45,000	Subtotal (Contract Items)	\$ 1,680,000
R/W Engineering (Survey)	\$ 59,000	Subtotal (Plan)	\$ 118,000
Real Property Labor	\$ 59,000	Subtotal (PE)	\$ 295,000
R/W Acquisition	\$ 246,000	Subtotal (R/W)	\$ 364,000
Construction Engineering *	\$ 194,000		
Environmental Monitoring and Mitigation Fees	\$ -		
SUBTOTAL of OTHER COSTS (ALL)	\$ 971,000		
		Grand Total	\$ 2,457,000

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

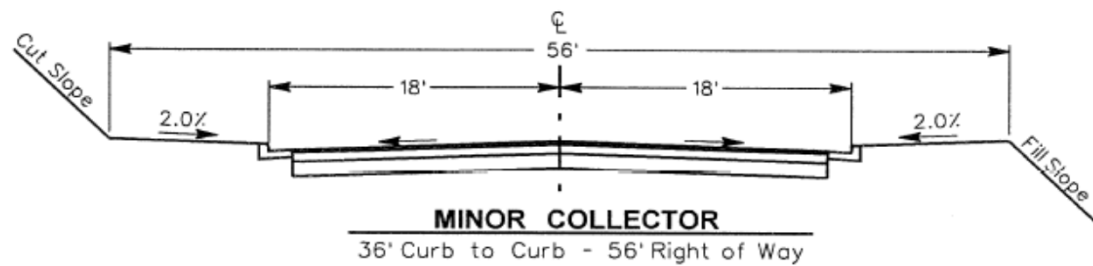
Current Year 2014

Escalation Year 2014

Escalation Rate 0.0%

➤ **TOTAL (in 2014 dollars) \$ 2,457,000**

## Project 5: Driftwood Drive Safety Improvements





1970 Broadway Ste 740, Oakland CA 94612

Project Number

6

☐ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.

☐ Click here if this project is a surface treatment or overlay project.

Project Name: Pacifica Avenue Extension  
 Project Location: Port Chicago Highway to Alves Lane Extension

Description: Extend roadway

Project Length (ft): 2660

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.  
 Revision Date  
 Revised by

No.	Description	Quantity	Units	Unit Cost	Total
1	Clearing and grubbing	148960	SF	\$0.50	\$ 74,480
2	Earthwork	148960	SF	\$2.00	\$ 297,920
3	Class 2 Aggregate Base	5200	CY	\$65.00	\$ 337,968
4	Hot Mix Asphalt (Type A)	2560	Ton	\$110.00	\$ 281,628
5	Striping	2660	LF	\$3.00	\$ 7,980
6	Concrete Sidewalk	34580	SF	\$7.50	\$ 259,350
7	Curb & Gutter	5320	LF	\$35.00	\$ 186,200
8	Utility pole relocation	1	LS	\$133,000.00	\$ 133,000
9	Install traffic signal per approach	1	EA	\$90,000.00	\$ 90,000
10	Modify traffic signal per approach	3	EA	\$75,000.00	\$ 225,000
11	Temporary traffic control	1	LS	\$94,700.00	\$ 94,700
12	Mobilization	1	LS	\$ 198,800.00	\$ 198,800

CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000) \$ 1,988,000

Planning Engineering (TE)	\$ 199,000	Contract Items	\$ 2,187,000
Preliminary Engineering (Design/Survey)*	\$ 329,000	Other Costs (CON)	\$ 329,000
Utility Coordination (Design)	\$ 76,000	Contingency*	\$ 329,000
Environmental (Environmental, Real Property)	\$ 61,000	Subtotal (Contract Items)	\$ 2,845,000
R/W Engineering (Survey)	\$ 110,000	Subtotal (Plan)	\$ 199,000
Real Property Labor	\$ 110,000	Subtotal (PE)	\$ 466,000
R/W Acquisition	\$ 1,042,720	Subtotal (R/W)	\$ 1,262,720
Construction Engineering *	\$ 329,000		
Environmental Monitoring and Mitigation Fees	\$ -		
SUBTOTAL of OTHER COSTS (ALL)	\$ 2,256,720		
		Grand Total	\$ 4,772,720

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

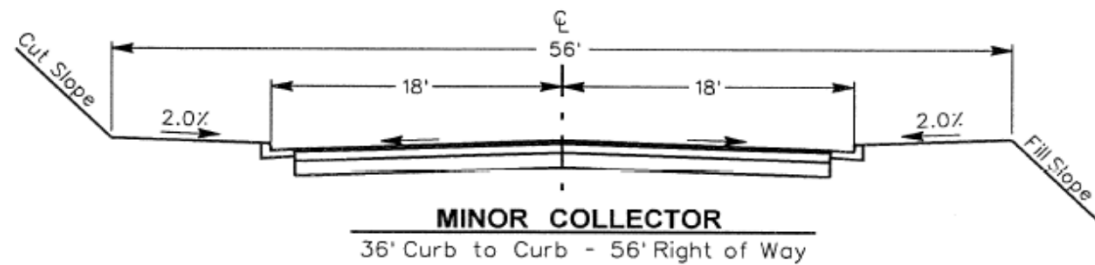
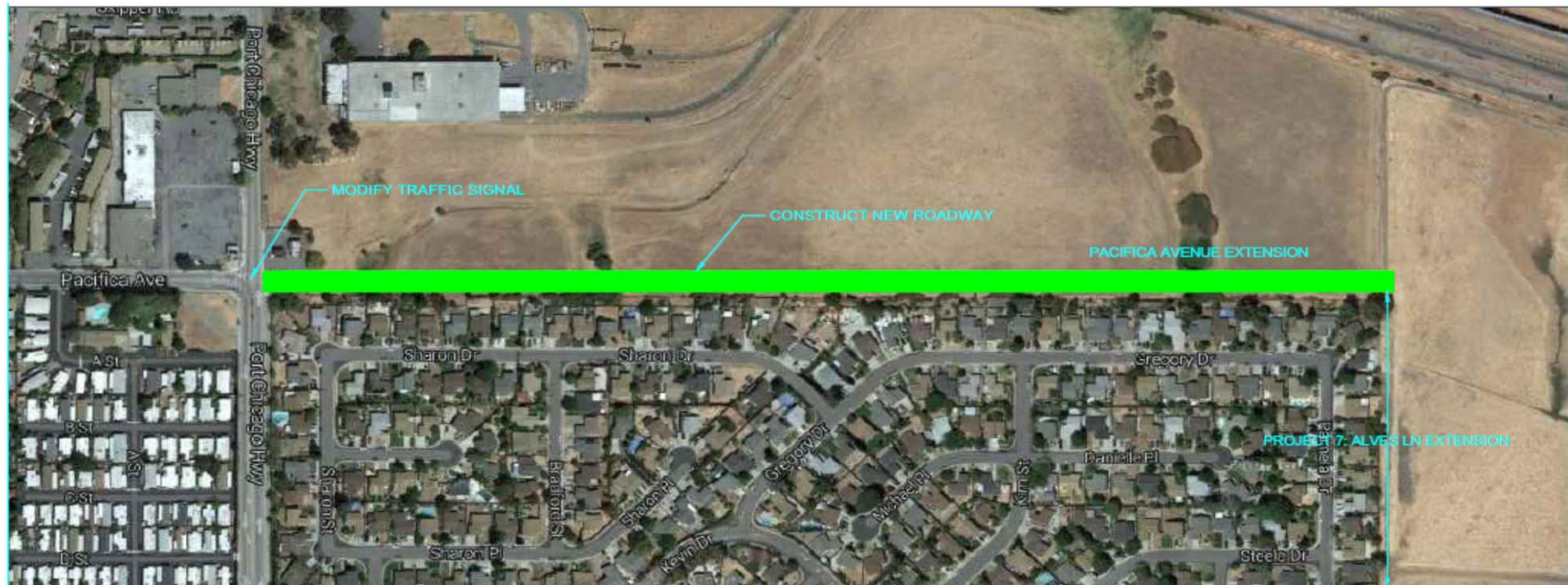
\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

Current Year 2014  
 Escalation Year 2014  
 Escalation Rate 0.0%

➤ TOTAL (in 2014 dollars) \$ 4,773,000

## Project 6: Pacifica Avenue Extension



**DKS Associates**

1970 Broadway Ste 740, Oakland CA 94612

**Planning Cost Estimate****Project Number****7**☒ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.☐ Click here if this project is a surface treatment or overlay project.

Project Name: 

Alves Lane Extension
----------------------

Project Location: 

Willow Pass Road to Pacifica Avenue Extension
---

Description: Extend roadway

Project Length (ft): 2575

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.
Revision Date
Revised by

No.	Description	Quantity	Units	Unit Cost	Total
1	Clearing and grubbing	144200	SF	\$0.50	\$ 72,100
2	Earthwork	144200	SF	\$2.00	\$ 288,400
3	Class 2 Aggregate Base	5150	CY	\$65.00	\$ 334,750
4	Hot Mix Asphalt (Type A)	2889	Ton	\$110.00	\$ 317,807
5	Striping	2575	LF	\$3.00	\$ 7,725
6	Concrete Sidewalk	33475	SF	\$7.50	\$ 251,063
7	Curb & Gutter	5150	LF	\$35.00	\$ 180,250
8	Install traffic signal per approach	1	EA	\$90,000.00	\$ 90,000
9	Modify traffic signal per approach	3	EA	\$75,000.00	\$ 225,000
10	Temporary traffic control	1	LS	\$88,400.00	\$ 88,400
11	Mobilization	1	LS	\$ 185,500.00	\$ 185,500

CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000) \$ 1,855,000

Planning Engineering (TE)	\$ 186,000	Contract Items	\$ 2,041,000
Preliminary Engineering (Design/Survey) *	\$ 307,000	Other Costs (CON)	\$ 307,000
Utility Coordination (Design)	\$ 85,000	Contingency*	\$ 307,000
Environmental (Environmental, Real Property)	\$ 68,000	Subtotal (Contract Items)	\$ 2,655,000
R/W Engineering (Survey)	\$ 103,000	Subtotal (Plan)	\$ 186,000
Real Property Labor	\$ 103,000	Subtotal (PE)	\$ 460,000
R/W Acquisition	\$ 1,009,400	Subtotal (R/W)	\$ 1,215,400
Construction Engineering *	\$ 307,000		
Environmental Monitoring and Mitigation Fees	\$ -		
SUBTOTAL of OTHER COSTS (ALL)	\$ 2,168,400		
		Grand Total	\$ 4,516,400

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

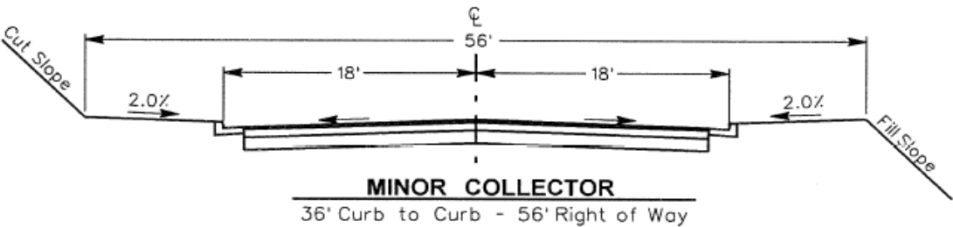
\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

Current Year	2014
Escalation Year	2014
Escalation Rate	0.0%

➤ **TOTAL (in 2014 dollars) \$ 4,516,000**

Project 7: Alves Lane Extension





- ☒ Click here if the project schedule for this project is to be 50 days or more; also click here if this is a bridge project.  
☐ Click here if this project is a surface treatment or overlay project.

Project Name: Loftus Road Safety Improvements  
 Project Location: Loftus Road from Willow Pass Road to Canal Road

Description: Pedestrian and bicycle improvements

Project Length (ft): 2535

Date of Estimate: Apr. 11, 2014

Prepared by: T. Krakow

Revision No.  
 Revision Date  
 Revised by

No.	Description	Quantity	Units	Unit Cost	Total
<b>Section 1: Willow Pass Road to Hanlon Way (1268' length)</b>					
1	Clearing and grubbing	38040	SF	\$0.50	\$ 19,100
2	Earthwork	38040	SF	\$2.00	\$ 76,100
3	Class 2 Aggregate Base	939	CY	\$65.00	\$ 61,100
4	Hot Mix Asphalt (Type A)	348	Ton	\$110.00	\$ 38,400
5	Striping	1268	LF	\$3.00	\$ 3,900
6	Curb & gutter	2536	LF	\$35.00	\$ 88,800
7	Concrete sidewalk	12680	SF	\$7.50	\$ 95,100
8	ADA curb ramp	4	EA	\$3,000.00	\$ 12,000
9	Driveway cut	40	EA	\$1,400.00	\$ 56,000
10	Misc Drainage Modifications	1	LS	\$45,000.00	\$ 45,000
Section 1 Subtotal (LS):					\$ 495,500
<b>Section 2: Hanlon Way to Canal Road (1267' length)</b>					
11	Clearing and grubbing	25360	SF	\$0.50	\$ 12,700
12	Earthwork	25360	SF	\$2.00	\$ 50,800
13	Class 2 Aggregate Base	939	CY	\$65.00	\$ 61,100
14	Hot Mix Asphalt (Type A)	418	Ton	\$110.00	\$ 46,000
15	Striping	1267	LF	\$3.00	\$ 3,900
16	Curb & gutter	2534	LF	\$35.00	\$ 88,700
17	Concrete sidewalk	12670	SF	\$7.50	\$ 95,100
18	ADA curb ramp	4	EA	\$3,000.00	\$ 12,000
19	Driveway cut	37	EA	\$1,400.00	\$ 51,800
20	Misc Drainage Modifications	1	LS	\$45,000.00	\$ 45,000
Section 2 Subtotal (LS):					\$ 467,100
21	Temporary traffic control	1	LS	\$48,100.00	\$ 48,100
22	Mobilization	1	LS	\$ 101,070.00	\$ 101,070

CONTRACT ITEMS LESS MOBILIZATION (TO NEAREST 1,000) \$ 1,010,700

Planning Engineering (TE)	\$ 102,000	Contract Items	\$ 1,111,770
Preliminary Engineering (Design/Survey) *	\$ 167,000	Other Costs (CON)	\$ 167,000
Utility Coordination (Design)	\$ 38,000	Contingency*	\$ 167,000
Environmental (Environmental, Real Property)	\$ 31,000	Subtotal (Contract Items)	\$ 1,445,770
R/W Engineering (Survey)	\$ 30,000	Subtotal (Plan)	\$ 102,000
Real Property Labor	\$ 30,000	Subtotal (PE)	\$ 236,000
R/W Acquisition	\$ 29,575	Subtotal (R/W)	\$ 89,575
Construction Engineering *	\$ 167,000		
Environmental Monitoring and Mitigation Fees	\$ -		
SUBTOTAL of OTHER COSTS (ALL)	\$ 594,575		
		Grand Total	\$ 1,873,345

\* Preliminary Engineering is minimum 15% of contract items. (See Issues to Consider)

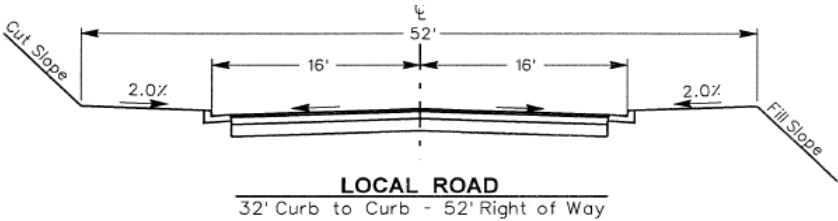
\* Construction Engineering is 15% of contract items. (\$20,000 min.)

\* CONTINGENCY is 15% of contract items. (\$10,000 min.)

Current Year 2014  
 Escalation Year 2014  
 Escalation Rate 0.0%

➤ **TOTAL (in 2014 dollars) \$ 1,873,000**

Project 8: Loftus Road Safety Improvements



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

Adopted this Resolution on September 27, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**RESOLUTION NO. 2016/545**

---

IN THE MATTER OF the adoption of Contra Costa County Ordinance No. 2016-18, adjusting the fees for the Bay Point Area of Benefit.

WHEREAS, the Board of Supervisors conducted a public hearing on September 27, 2016, to consider the adoption of Contra Costa County Ordinance No. 2016-18, to adjust transportation mitigation fees imposed on new development in the Bay Point Area of Benefit; and

WHEREAS, the Board of Supervisors at said hearing reestablished the boundaries of the Bay Point Area of Benefit, the costs of the proposed improvements, and the method of fee apportionment, as set forth in the August 2016, Development Program Report for the Bay Point Area of Benefit ("Development Program Report"), attached hereto as Exhibit 1; and

WHEREAS, Government Code section 66484 requires a resolution incorporating a description of the area of benefit boundaries, costs, and method of fee apportionment to be recorded by the governing body conducting the hearing; and

WHEREAS, the August 2016, "Nexus Study, Bay Point Area of Benefit" ("Nexus Study"), which is attached as Exhibit D to the Development Program Report, sets forth the nexus findings required by the Mitigation Fee Act (Gov. Code. § 66000 et seq.);

NOW THEREFORE, it is resolved that the Board of Supervisors hereby:

1. ADOPTS the Development Program Report attached hereto as Exhibit 1, including the Nexus Study attached as Exhibit D to the Development Program Report.
2. INCORPORATES herein by reference the following, which were established at the hearing described above:
  - A. The boundaries of the Bay Point Area of Benefit, as more particularly described in the legal description attached as Exhibit A to the Development Program Report, and as depicted in the map attached as Exhibit B to the Development Program Report.

- B. The estimated costs of the thoroughfare improvements to be funded with revenue from the Bay Point Area of Benefit fees, as more particularly set forth in Exhibit C to the Development Program Report; and
- C. The method of apportionment of the Bay Point Area of Benefit fees, as more particularly described in the Development Program Report, and in the Nexus Study attached as Exhibit D to the Development Program Report.



State of California—Natural Resources Agency  
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE  
**2015 ENVIRONMENTAL FILING FEE CASH RECEIPT**

RECEIPT#

07-2015-306

STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY

CCC DEPT OF CONSERVATION AND DEVELOPMENT

DATE

10/07/2015

COUNTY/STATE AGENCY OF FILING

Contra Costa

DOCUMENT NUMBER

2015-E0000395

PROJECT TITLE

2015 COUNTYWIDE AREA OF BENEFIT UPDATE

PROJECT APPLICANT NAME

CCC PUBLIC WORKS DEPARTMENT

PHONE NUMBER

( 925 ) 313-2190

PROJECT APPLICANT ADDRESS

255 GLACIER DRIVE

CITY

MARTINEZ

STATE

CA

ZIP CODE

94553

PROJECT APPLICANT (Check appropriate box):



Local Public Agency



School District



Other Special District



State Agency



Private Entity

CHECK APPLICABLE FEES:



Environmental Impact Report (EIR)

\$3,069.75

\$

0.00



Mitigated/Negative Declaration (MND)(ND)

\$2,210.00

\$

0.00



Application Fee Water Diversion (State Water Resources Control Board only)

\$850.00

\$

0.00



Projects Subject to Certified Regulatory Programs (CRP)

\$1,043.75

\$

0.00



County Administrative Fee

\$50.00

\$

50.00



Project that is exempt from fees



Notice of Exemption (attach)



CDFW No Effect Determination (attach)



Other

\$

PAYMENT METHOD:



Cash



Credit



Check



Other

JV0736

TOTAL RECEIVED

\$

50.00

SIGNATURE

X

PRINTED NAME AND TITLE

Ted Lawson, Deputy Clerk

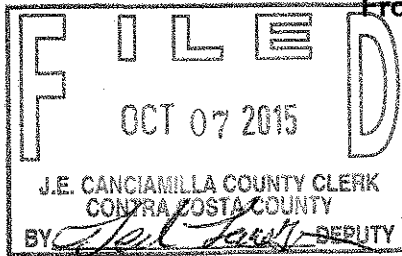
County Receipt Number: 2407259

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Notice of Exemption

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

☒ County Clerk  
County of: Contra Costa



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

Project Title: **2015 Countywide Area of Benefit Update**

Project Applicant: **Contra Costa County Public Works Department**

Project Location: **West, Central, East County**

Project Location: **Countywide**

Project Location – County: **Contra Costa**

**Description of Nature, Purpose and Beneficiaries of Project:**

The 2015 Countywide Area of Benefit (AOB) update is a fee mechanism, allocating money collected from developers to fund road improvement projects that mitigate traffic impacts generated by new residential, commercial, industrial, and other developments. There are several separate AOBs within the County. The purpose of the AOB update is to make adjustments to the current AOB project list and fee schedule to meet changing traffic mitigation demands and needs within Contra Costa County. The update is needed to ensure that the amount of fees charged accurately reflects the effects of annual inflation for each of the county AOBs and meets the current traffic mitigation needs. This CEQA document addresses the adjustments to the Countywide AOB only. Each roadway project to be covered by the 2015 Countywide Area of Benefit Update will be addressed by individual project-specific CEQA documents.

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

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

**Exempt Status:**

- ☐ Ministerial Project (Sec. 21080(b)(1); 15268; ☐ Categorical Exemption: \_\_\_\_\_  
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a)); ☐ Other Statutory Exemption, Code No.: \_\_\_\_\_  
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c)); ☒ General Rule of Applicability [Article 5, Section 15061 (b)(3)]

**Reasons why project is exempt: This activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061 (b) (3) of the CEQA Guidelines.**

Lead Agency Contact Person: **Kimani Birden - Public Works Dept.** Area Code/Telephone/Extension: (925) 313-2190

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: *[Signature]* Date: 7-09-15 Title: Principal Planner

☐ Signed by Lead Agency ☐ Signed by Applicant

**AFFIDAVIT OF FILING AND POSTING**

I declare that on 10/7/2015 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]* *Deputy Clerk*  
Signature Title

**Applicant:**

Public Works Department  
255 Glacier Drive  
Martinez, CA 94553  
Attn: Kimani Birden  
Environmental Services  
Division  
Phone: (925) 313-2190

**Department of Fish and Game Fees**

**Due**

- ☐ EIR - \$3,069.<sup>75</sup>  
☐ Neg. Dec. - \$2,210.<sup>00</sup>  
☐ DeMinimis Findings - \$0  
☒ County Clerk - \$50  
☒ Conservation & Development - \$25

Total Due: \$ 75.<sup>00</sup>

Total Paid \$ \_\_\_\_\_

Receipt #: \_\_\_\_\_

## ORDINANCE NO. 2016-18

### (Uncodified)

#### (Bay Point Area of Benefit Fees)

The Board of Supervisors of Contra Costa County ordains as follows:

**SECTION 1. Summary and Purpose.** This ordinance provides for the repeal of Contra Costa County Ordinance No. 98-40, the reestablishment of the Bay Point Area of Benefit, and the adoption of revised transportation mitigation fees for transportation improvements needed to mitigate transportation impacts of new development in the area of benefit through 2040.

**SECTION 2. Authority.** This ordinance is enacted pursuant to Government Code sections 66001, *et seq.*, 66484, and 66484.7, and Division 913 of the Contra Costa County Ordinance Code, and other applicable laws and ordinances.

#### **SECTION 3. Recitals and Findings of Fact.**

- (a) Under the Mitigation Fee Act, California Government Code section 66000, *et seq.*, the County is authorized to charge a development-project applicant, as a condition of project approval, a fee that is proportional to the cost of public improvements necessary to serve the development project, or to alleviate impacts caused by the development project. Government Code sections 66484 and 66484.7 specifically authorize the County to impose those fees to defray the actual or estimated costs of new or reconstructed bridges over waterways, railways, freeways, major thoroughfares, and pedestrian, bicycle, transit, and traffic-calming facilities that serve new development within a specific area of benefit.
- (b) In 1998, the Board of Supervisors adopted Ordinance No. 98-40 to reestablish the Bay Point Area of Benefit. Ordinance No. 98-40 imposed fees on each new development within the Bay Point Area of Benefit, to fund specified new bridges and thoroughfares, or expansions of existing bridges and thoroughfares, necessary to serve the development project or alleviate traffic impacts or demands caused by the project. Those fees funded many significant projects. Because of changes in development and traffic patterns in the area, the Public Works Department reevaluated the transportation improvements needed to serve new development in the Bay Point Area of Benefit through 2040.
- (c) The County's August 2016 Development Program Report ("Report"), including the August 2016 "Nexus Study, Bay Point Area of Benefit" ("Nexus Study") attached as Exhibit D to the Report, have been prepared to determine the amount of the fees necessary to fund new development's share of the estimated costs of new or reconstructed bridges over waterways, railways, freeways, major thoroughfares, pedestrian, bicycle, transit, and traffic-calming facilities (the "Transportation Improvements") that are necessary to meet traffic demands generated by new development within the Bay Point Area of Benefit through 2040. The Transportation Improvements are more particularly described in the Report, the Nexus Study, and Sections 5.6



(Roadway and Transit Network Plans) and 5.8 (Pedestrian Facilities and Bikeways) of Chapter 5 (Transportation and Circulation Element) of the County's 2005-2020 General Plan.

- (d) The Report and Nexus Study propose a fair and equitable method for allocating a portion of the costs of the Transportation Improvements to new development within the Bay Point Area of Benefit. The cost of each of the Transportation Improvements in the Report and Nexus Study is reasonable. The total amount of revenue expected to be generated from fees charged and collected under this ordinance will not exceed the estimated cost of the Transportation Improvements attributable to new development within the Bay Point Area of Benefit. The County will rely on sources other than transportation mitigation fee revenue to pay Transportation Improvement costs not allocated to new development.
- (e) Payment of the fees adopted by this ordinance shall not be required unless the major thoroughfares or planned bridge facilities are in addition to, or a reconstruction of, any existing major thoroughfares or planned bridge facilities serving the Bay Point Area of Benefit at the time that the boundaries of that area of benefit are established by this ordinance. Because all of the Transportation Improvements are in addition to, or a reconstruction or expansion of, existing thoroughfares and bridge facilities, the fees adopted by this ordinance may be imposed on new development projects within the Bay Point Area of Benefit.
- (f) Pursuant to Government Code section 66001, the Board of Supervisors further finds:
  - (1) As determined in the Nexus Study, the purpose of the fees adopted and collected pursuant to this ordinance is to fund new development's share of the estimated costs of the Transportation Improvements identified in the Nexus Study.
  - (2) As determined in the Nexus Study, there is a reasonable relationship between the use of revenue generated by the fees and the type of new development projects on which those fees shall be imposed.
  - (3) As determined in the Nexus Study, there is a reasonable relationship between the need for the Transportation Improvements that shall be funded by fee revenue, and the types of new development within the Bay Point Area of Benefit on which those fees shall be imposed.
  - (4) As determined in the Nexus Study, there is a reasonable relationship between the amount of the fee imposed on each type of new development within the Bay Point Area of Benefit, and the cost of the Transportation Improvements to be funded by fee revenue.
- (g) The Board of Supervisors further finds as follows:
  - (1) Pursuant to Government Code sections 54986, 65091, 66017, 66018, 66474.2, subdivision (b), 66484, and 66484.7, and Division 913 of the Contra Costa County Ordinance Code, notice of a public hearing on this ordinance was given and published, and the public hearing was held. The Nexus Study and Report were made available to the public at least ten (10) days before the hearing.

- (2) If, within the time when protests may be filed under the provisions of this ordinance, there is a written protest, filed with the Clerk of the Board of Supervisors, by owners of more than one-half of the area of the property within the Bay Point Area of Benefit, and sufficient protests are not withdrawn so as to reduce that area to less than one-half of the area of the property within the Bay Point Area of Benefit, these proceedings shall be abandoned and this ordinance shall not be adopted. However, the Board of Supervisors has considered all written protests, and all written and oral testimony offered at the hearing, and finds that no majority protest exists.
- (3) At the public hearing on this ordinance, the boundaries of the Bay Point Area of Benefit, the estimated costs of the Transportation Improvements, and a fair method of allocation of those costs to new development projects within the Bay Point Area of Benefit were established.

**SECTION 4. Definitions.** For the purpose of this ordinance, the following terms have the following meanings:

- (a) "Development project" or "new development project," means either of the following located within the Bay Point Area of Benefit:
  - (1) Any new construction, or any addition, extension, or enlargement of an existing structure or unit, which includes a dwelling unit for residential use or the floor area of commercial, office or industrial use, requiring a building permit from the County; or
  - (2) Any conversion or change in use of an existing structure requiring a building permit from the County that would result in a change in the land use type.
- (b) "Peak-hour trip" has the same meaning as that term is used in the Nexus Study.
- (c) "Square foot" means a square foot of gross floor area within the interior walls of a building or portions thereof.
- (d) "Dwelling-unit-equivalent" means the same level of traffic impacts attributable to one dwelling unit, as determined in the Report and Nexus Study.

**SECTION 5. Fee Adoption and Collection.** Fees that apply to new development within the Bay Point Area of Benefit are hereby adopted, and shall be charged and collected, as specified in this section.

- (a) Amount of the Fees.
  - (1) Bay Point Area of Benefit Fees. The following schedule of fees shall be effective on the effective date of this ordinance:

<u>Land Use Type</u>	<u>Fee</u>	<u>Per Unit</u>
Single-Family Residential	\$ 7,870.00	per dwelling unit
Multi-Family Residential	\$ 4,801.00	per dwelling unit
Commercial/Retail	\$ 4.62	per square foot
Office	\$ 3.74	per square foot
Industrial	\$ 2.96	per square foot
Other	\$ 7,870.00	per dwelling unit equivalent

(2) Adjustment of Fees Beginning January 1, 2017. On January 1, 2017, and on each January 1 thereafter, the amounts of the fees set forth in Section 5(a)(1), above, shall be increased or decreased by a percentage equal to the percentage change, if any, in the Engineering News-Record Construction Cost Index for the San Francisco Bay Area for the 12-month period ending September 30 of the prior year.

(b) Calculation of the Bay Point Area of Benefit Fee. Unless otherwise specified in this ordinance, each new development project shall pay a fee calculated as described in this Section 5(b).

(1) Calculation of Fee for New Development that Expands, Extends, or Replaces an Existing Development. If any new development project will replace an existing development, or if any new development project will expand or extend an existing development, by increasing the number of dwelling units or square feet of floor area of, or the number of dwelling-unit-equivalents attributable to, the existing development, the fee imposed on the new development project shall be calculated as follows:

(A) For residential land uses: The applicable transportation mitigation fee in Section 5(a) of this ordinance is multiplied by the difference of: (i) either the number of dwelling units attributable to the new development that replaces an existing development, or the number of dwelling units attributable to the development after the expansion or extension of the existing development; minus (ii) the number of dwelling units attributable to the existing development. That calculation is expressed as follows:

[Applicable fee per-dwelling unit] x [(number of dwelling units after replacement or expansion/extension) – (number of dwelling units before replacement or expansion/extension)]

(B) For office, industrial, and commercial/retail land uses: The applicable fee in Section 5(a) of this ordinance is multiplied by the difference of: (i) either the number of square feet of the new development that will replace an existing development, or the number of square feet of the development after expansion or extension of the existing development; minus (ii) the number of square feet of the existing development. That calculation is expressed as follows:

[Applicable fee per square foot] x [(number of square feet after replacement or expansion/extension) – (number of square feet before replacement or expansion/extension)]

- (C) For “other” land uses: The applicable fee in Section 5(a) of this ordinance is multiplied by the difference of: (i) either the number of dwelling-unit-equivalents attributable to the new development that will replace an existing development, or the number of dwelling-unit-equivalents attributable to the development after expansion or extension of the existing development; minus (ii) the number of dwelling-unit-equivalents attributable to the existing development. That calculation is expressed as follows:

$$[(\text{Applicable fee per dwelling-unit-equivalent})] \times [(\text{number of dwelling-unit-equivalents after replacement or expansion/extension}) - (\text{number of dwelling-unit-equivalents before replacement or expansion/extension})]$$

The County will determine the number of dwelling unit equivalents that will be generated by the new development project based on: information generated by project-specific traffic studies prepared by a professional engineer; the standards set forth in the then-current edition of the Institute of Transportation Engineers Trip Generation Manual (“ITE Manual”); and other information provided by the new development project applicant that the County deems relevant.

- (D) Notwithstanding any other provision of this ordinance, if the result of the calculation required by this Section 5(b)(1) is zero or a negative number, then no fee shall be imposed on the new development project.
- (2) Calculation of the Bay Point Area of Benefit Fee for New Development that Does Not Expand, Extend, or Replace an Existing Development. For any new development project that does not expand, extend, or replace an existing development, the fee imposed on the new development project shall be calculated as follows:
- (A) For residential land uses: The applicable fee in Section 5(a) of this ordinance is multiplied by the number of dwelling units attributable to the new development. That calculation is expressed as follows:
- $$(\text{Applicable fee per dwelling unit}) \times (\text{number of dwelling units})$$
- (B) For office, industrial, and commercial/retail land uses: The applicable fee in Section 5(a) of this ordinance is multiplied by the number of square feet of the new development. That calculation is expressed as follows:
- $$(\text{Applicable fee per square foot}) \times (\text{number of square feet of floor area})$$
- (C) For “other” land uses: The applicable fee in Section 5(a) of this ordinance is multiplied by the number of dwelling unit equivalents attributable to the new development. That calculation is expressed as follows:

(Applicable fee per dwelling-unit-equivalent) x (number of dwelling-unit-equivalents attributable to new development)

The County will determine the number of dwelling unit equivalents attributable to the new development project based on: information generated by project-specific traffic studies prepared by a professional engineer; the standards set forth in the then-current edition of the ITE Manual; and other information provided by the new development project applicant that the County deems relevant.

- (c) Applicability and Establishment of Bay Point Area of Benefit Boundaries. The transportation mitigation fees specified in this ordinance shall apply to all new development within the Bay Point Area of Benefit, unless otherwise specified in this ordinance. The boundaries of the Bay Point Area of Benefit are more particularly described in the legal description, and are depicted on the map, attached hereto together as Exhibit A and incorporated herein by reference. The boundaries of the Bay Point Area of Benefit are hereby readopted and reestablished in accordance with Government Code sections 66484 and 66484.7.
- (d) Time of Collection. The fee attributable to each new development project shall be paid before the County issues a building permit for the new development project. Payment of the fee shall be a condition of building permit issuance, as specified in Chapter 913-4 of the County Ordinance Code.
- (e) Exemptions. No new development project is exempt from payment of a fee under this ordinance, unless, as of the date of the notice published pursuant to Government Code Section 66474.2, subdivision (b), either of the following apply:
  - (1) The new development project has perfected an exemption from the fee under the vesting tentative map law; or
  - (2) The new development project has entered into a development agreement with the County that expressly excludes assessment of additional fees on that project.
- (f) Fee Reductions and Credits.
  - (1) A project applicant may request a reduction in fees from the County if it is determined that the project will generate a lower number of trips than data provided by the ITE Manual that was used as the basis for the Report. A requested fee reduction must be based on a traffic study that determines that the traffic impacts of the proposed development would generate fees that are less than the fees set forth in Section 5, above. The methodology for conducting the study shall be developed and approved by the County. The County shall determine the appropriate fee reduction based upon the proportionate reduction in traffic impacts demonstrated in the traffic study.
  - (2) A project applicant may receive a credit against fees for the dedication of land for right-of-way and/or construction of any portion of the Transportation Improvements to be funded with the fees collected pursuant to this ordinance, where the right-of-way or

construction is beyond that which would otherwise be required for approval of the proposed development. The calculation of the amount of credit against fees for these dedications or improvements shall be based on a determination by the County that the credits are exclusive of the dedications, setbacks, improvements, and/or traffic mitigation measures that are required by ordinance or local standards. In addition, the credit shall be calculated based upon the actual cost of construction of improvements or, in the case of land dedication, on an independent appraisal approved by the County. All fee credits and reimbursements for dedications in lieu of payment of any transportation mitigation fee, or portion thereof, required to be paid by this ordinance shall be subject to an agreement executed in accordance with the Traffic Fee Credit and Reimbursement Policy, approved by the Board of Supervisors on June 5, 2007, which is made a part hereof and incorporated herein by reference.

(g) Fee Waivers.

- (1) Upon written request of the project applicant, the Public Works Director may waive the fees collected under this ordinance for dwelling units that the Public Works Director determines, in a written finding, fit into one of the following categories: (1) rental units affordable to households earning less than 80% of the area median income; or (2) ownership units affordable to households earning less than 120% of the area median income.
- (2) As a condition of such waiver, the project applicant shall enter into a regulatory agreement with the County, guaranteeing the use, occupancy, affordability, and term of affordability of such dwelling units. Rental units for which a waiver is granted under this section shall be restricted to that use for a minimum of 55 years. Ownership units for which a waiver is granted under this section shall be restricted to that use for a minimum of 30 years.

(h) Fee Waiver for Inclusionary Housing Units. In lieu of the fee waiver for affordable housing units as set forth in Section 5(g), development projects that are subject to Chapter 822-4 of the County Ordinance Code shall be eligible for a waiver of the fees collected under this ordinance as follows:

- (1) Fees shall be waived for each rental unit to be developed and rented as an inclusionary unit under the terms and conditions of Section 822-4.410(a) of the County Ordinance Code.
- (2) Fees shall be waived for each for-sale unit to be developed and sold as an inclusionary unit under the terms and conditions of Section 822-4.410(b) of the County Ordinance Code.
- (3) If a fee is paid in lieu of constructing some or all inclusionary units in a development project, pursuant to Section 822-4.404 of the County Ordinance Code, the fees collected under this ordinance shall be waived for the number of inclusionary units for which the in-lieu fee is paid.

- (i) Senior Housing and Congregate Care. Nothing in this ordinance shall be construed to abridge or modify the Board's discretion, upon proper application for a senior housing or congregate care facility, to adjust or to waive the fees required to be paid under this ordinance, pursuant to Government Code Section 65915.
- (j) Deposit of Fee Revenue. Revenue from fees paid pursuant to this ordinance shall be deposited into a fund covering the Transportation Improvements identified in the Report and Nexus Study, and shall be separately accounted for. The funds shall not be commingled with other funds, except where the funds are temporarily invested pursuant to Government Code section 66006. Fee revenues deposited in the fund shall be expended solely for the purposes described in this ordinance. Any interest earned on deposits in the fund also shall be deposited in that fund and used for those purposes.
- (k) Limitations. No fees collected pursuant to this ordinance may be used to reimburse the construction costs of bridge or thoroughfare facilities serving the Bay Point Area of Benefit on the effective date of this ordinance. However, fee revenues may be used to reimburse any general fund monies, or other County revenues, advanced to pay for any planned bridge or thoroughfare improvements.

#### **SECTION 6. Reporting and Accounting Requirements.**

- (a) Annual Reporting. Within 180 days after the last day of each fiscal year, the Public Works Director, or designee, shall make available to the public a report regarding the fund established for receipt of deposits of the fees collected by the County pursuant to this ordinance. The report shall be reviewed by the Board of Supervisors at a regularly scheduled meeting that will be held, and notice of which will be provided, in accordance with Government Code Section 66006. The report shall contain the following information for the fiscal year:
  - (1) A brief description of the type of fee in the account or fund.
  - (2) The amount of the fees.
  - (3) The beginning and ending balance of the account or fund.
  - (4) The amount of the fees collected and the interest earned.
  - (5) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with those fees.
  - (6) An identification of an approximate date by which the construction of the public improvement will commence if the Board determines that sufficient funds have been collected to complete financing on an incomplete public improvement, and the public improvement remains incomplete.



- (7) A description of each interfund transfer or loan from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.
  - (8) The amount of refunds made pursuant to Government Code section 66001, subdivision (e), and any allocations pursuant to Government Code section 66001, subdivision (f).
- (b) Periodic Review by the Board. In the fifth fiscal year following the first deposit into the fund established for receipt of deposits of the fees collected pursuant to this ordinance, and at least once every five years thereafter, the Board of Supervisors shall make all of the following findings with respect to that portion of the Bay Point Area of Benefit fund remaining unexpended, whether committed or uncommitted, pursuant to Government Code Section 66001:
- (1) Identify the purpose to which the fees are to be put.
  - (2) Demonstrate a reasonable relationship between the fees and the purpose for which they are charged.
  - (3) Identify all sources and amounts of funding anticipated to complete financing of incomplete transportation improvements identified in the Report and Nexus Study.
  - (4) Designate the approximate dates on which the funding referred to in Section 6(b)(3), above, is expected to be deposited into the appropriate account or fund.

**SECTION 7. Repeal of Existing Fees.** Except as specified in this Section 7 and Section 9, below, Contra Costa County Ordinance No. 98-40 is hereby repealed and superseded by this ordinance, as of the effective date of this ordinance. However, this repeal shall not affect any fees that were imposed on any development project pursuant to Ordinance No. 98-40 prior to the effective date of this ordinance, which fees shall be paid and collected under the provisions of Ordinance No. 98-40.

**SECTION 8. Judicial Review.** Any judicial action or proceeding to attack, review, set aside, void, or annul the fees established by this ordinance shall be commenced within one hundred twenty (120) days after the effective date of this ordinance. Any action to attack any adjustment to the schedule of fees pursuant to Section 5(a)(2) of this ordinance shall be commenced within one hundred twenty (120) days after the effective date of that adjustment.

**SECTION 9. Severability.** Notwithstanding any other provision of this ordinance to the contrary, if a court of competent jurisdiction determines any fee set forth in Section 5 of this ordinance is invalid or unenforceable, the comparable fee adopted by Ordinance No. 98-40, shall be deemed not to have been repealed and shall remain in effect and subject to the remaining provisions of this ordinance. Notwithstanding any other provision of this ordinance to the contrary, if a court of competent jurisdiction determines this ordinance is invalid or unenforceable, Ordinance No. 98-40 shall be deemed not to have been repealed and shall remain in full force and effect.

**SECTION 10. Effective Date.** This ordinance shall become effective 60 days after passage, and, within 15 days of passage, this ordinance shall be published once, with the names of the Supervisors voting for and against it, in the Contra Costa Times, a newspaper of general circulation published in this County. Pursuant to section 913-6.026 of the Contra Costa County Ordinance Code, the Clerk of the Board shall promptly file a certified copy of this ordinance with the County Recorder.

PASSED and ADOPTED on \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Board Chair

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

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

Attachments: Exhibit A (Map and Legal Description of Bay Point Area of  
Benefit Boundaries)

SMS

H:\Client Matters\Public Works\AOB Fees\Bay Point AOB\Bay Point AOB Fee Ordinance - FINAL 090816.doc



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: September 27, 2016

Subject: APPOINTMENT OF COUNTY HUMAN RESOURCES DIRECTOR - EXEMPT - Dianne Dinsmore

---

**RECOMMENDATION(S):**

1. ADOPT Resolution No. 2016/539 abolishing outstanding performance pay steps for the classification of Director of Human Resources - Exempt (AGA2) effective October 17, 2016;
2. APPOINT Dianne Dinsmore to the position of Director of Human Resources - Exempt at Step 3 of the salary range effective October 17, 2016 with the following additional terms of employment:
  - a. One-time accrual of 80 hours of vacation time.
  - b. All other benefits as provided in the current Management Resolution applicable to the position of Director of Human Resources - Exempt.

**FISCAL IMPACT:**

The estimated annual County cost for the Director of Human Resources - Exempt position is \$317,654 of which \$50,712 is pension costs. The estimated cost for the eight and one half months remaining in fiscal year 2016/2017 is \$225,005, of which \$35,539 is pension cost. All costs are budgeted in the General Fund within the Human Resources Department operating budget.

**BACKGROUND:**

In May of 2016, the County commenced its third recruitment to fill the Director of Human Resources – Exempt position which has been vacant since May of 2014.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Allison Picard  
925-335-1096

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

By: , Deputy

cc: Lisa Lopez, Assistant Director of Human Resources, Harjit S. Nahal, Assistant County Auditor

## BACKGROUND: (CONT'D)

>

The County contracted with Teri Black & Company (TBC), LLC to conduct the recruitment to fill the vacancy. On June 14, 2016, the recruitment for a new Director of Human Resources commenced. TBC advertised the position nationwide but with particular emphasis on the west coast region. Ads were placed with the California State Association of Counties (CSAC), California Public Employers Labor Relations Association (CALPELRA), Western City Magazine, California City/County News, International Public Management Association (IPMA), Northern California Human Resources Association (NCHRA), Jobs Available and the Society for Human Resources Management (SHRM). Invitations and recruitment brochures were sent via traditional and electronic mail to nearly 300 potential candidates targeted by executive search firm. The five (5) week recruitment garnered 67 applications. With the assistance of TBC, the applications were screened and four (4) semi-finalists were forwarded to the County Selection Committee on August 19, 2016.

The County Selection Committee was composed of Delores Turner, Director of Human Resources (Retired), East Bay Municipal Utility District; Lisa Driscoll, County Finance Director, Contra Costa County; Allison Picard, Chief Assistant County Administrator, Contra Costa County; and Kathy Ito, President, KMI Human Resources Consulting, Inc.

Following a series of interviews and reference checks, I selected Dianne Dinsmore for the position.

Ms. Dinsmore holds a Bachelor's Degree in French and Spanish from Mankato State University and a Master of Public Administration from Golden Gate University. She currently serves as the Director of Human Resources for the City of Petaluma, after holding a number of posts for the County of Monterey including Human Resources Director, Heath Department; Chief Negotiator, Supervising Human Resources Analyst, and Senior Human Resources Analyst, County Administrator's Office; and Associate Personnel Analyst, Planning and Building Department. Prior to working for the County of Monterey, Ms. Dinsmore served as a Personnel Analyst II for the County of Kern. Dianne is an active member of the Society of Human Resources Management (SHRM), California Public Employment and Labor Relations Association (CALPELRA) and International Public Management Association for Human Resources (IPMA-HR). As a human resources professional serving in numerous capacities, both in central support and operating departments, Ms. Dinsmore brings with her 16 years of experience in public human resources administrative and management positions. Diane looks to bring her highly regarded technical expertise, valued problem solving abilities, and strong organizational team orientation to Costa County's Human Resources Department.

## CONSEQUENCE OF NEGATIVE ACTION:

The Director of Human Resources-Exempt position will remain vacant and the outstanding performance pay steps will not be eliminated.

## ATTACHMENTS

Resolution No. 2016/539

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

Adopted this Resolution on 09/27/2016 by the following vote:

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



**Resolution No. 2016/539**

**In The Matter Of:** Abolishing outstanding performance pay steps for the classifications of Director of Human Resources – Exempt

WHEREAS, the County Administrator's Office and the Human Resources Department recognized a need to abolish the outstanding performance steps and convert the performance pay steps to merit pay steps for the classification of Director of Human Resources - Exempt; and

WHEREAS, the Board of Supervisors will be considering the appointment of a new Director of Human Resources - Exempt on September 27, 2016 to be effective on her start date of October 17, 2016,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Contra Costa County:

1. ABOLISH outstanding performance steps for the classification of Director of Human Resources - Exempt (AGB1) in Resolution No. 94/575;
2. RESCIND Performance Pay Plan Resolution No. 94/575 as it is now unnecessary and obsolete; and
3. CONVERT the performance steps to merit steps.

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

**ATTESTED: September 27, 2016**

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

**Contact: Allison Picard 925-335-1096**

By: , Deputy

**cc:** Lisa Lopez, Assistant Director of Human Resources, Harjit S. Nahal, Assistant County Auditor



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: September 27, 2016

Subject: Resolution No. 2016/522 Adoption of the FY 2016/17 Budget As Finally Determined

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2016/522 adopting the FY 2016/17 Adopted Budget as finally determined, including:

- a. Final changes to close out the 2015/2016 County Budget, including changes to revenues, appropriations, and obligated fund balances; and AUTHORIZE the Auditor-Controller to make the necessary changes in the financial accounting system, as reflected in Attachment A;
- b. Final changes in the 2016/2017 County Budget, including changes to appropriations, revenues, and obligated fund balances; and AUTHORIZE the County Administrator and Auditor-Controller to make technical adjustments to the budgets pursuant to Attachment B (County - Schedule A, B, and C);
- c. Final changes to close out the 2015/2016 Special Districts Budget, including changes to revenues, appropriations, and obligated fund balances; and AUTHORIZE the Auditor-Controller to make the necessary changes in the financial accounting system, as reflected in Attachment C; and
- d. Final changes in the 2016/2017 Special Districts Budget, including changes to appropriations, revenues, and obligated fund balances; and AUTHORIZE the County Administrator and Auditor-Controller to make technical adjustments to the budgets pursuant to Attachment D (Special Districts - Schedule A, B, and C).

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

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

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

By: , Deputy

cc: Robert Campbell, County Auditor-Controller, Timothy Ewell, Senior Deputy County Administrator, Laura Strobel, Senior Deputy County Administrator

### FISCAL IMPACT:

As described in the background information below, this action adjusts FY 2015/16 appropriations and revenues to balance budgeted figures to actual experience; and for FY 2016/17, includes fund balances, reserves, designations and all estimated revenue and appropriation line item changes to correspond to the latest information.

### BACKGROUND:

On April 19, 2016, the Board of Supervisors adopted the FY 2016/17 Recommended Budget for Countywide Funds and Special Districts. Also on April 19, the Board of Supervisors conducted public hearings on County and Special District budgets and directed the County Administrator to prepare for Board adoption the FY 2016/17 County and Special District Budgets, as modified, to incorporate any changes directed by the Board during the public hearings.

On May 10, 2016, the Board of Supervisors requested that the Auditor-Controller make adjustments to the FY 2015/2016 appropriations and revenues by reallocating and balancing budgeted and actual expenditures and revenues as needed for various budget units and special districts, subject to Board approval in September. This request is pursuant to state law that requires each budget unit and expenditure object level within those units not exceed appropriations. Each year, this requirement generates a substantial number of adjustments to balance each budget unit and object. Attachments A and C (County and Special Districts respectively) contain the necessary appropriation adjustments to close out the 2015/2016 Budget.

Also on May 10, the Board of Supervisors authorized the Auditor-Controller to make technical adjustments to the FY 2016/2017 County and Special District Budgets when actual amounts were known. This action is pursuant to state law that requires the Board of Supervisors adopt a budget which includes obligated fund balances and all estimated revenue and appropriation line item changes to the proposed Budget no later than October 2 of each year. Attachments B and D (County and Special Districts respectively) include changes to revenues, appropriations, and obligated fund balances in the 2016/2017 Budget to correspond with the latest fiscal and legal information and the necessity to re-budget appropriations for programs not fully utilizing Board authorized spending levels in 2015/2016.

### CONSEQUENCE OF NEGATIVE ACTION:

Delay in Final Budget Adoption.

### ATTACHMENTS

Resolution No. 2016/522

Attachment A

Attachment B

Attachment C

Attachment D



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

Adopted this Resolution on 09/27/2016 by the following vote:

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



**Resolution No. 2016/522**

**In The Matter Of:** Adopting the FY 2016/17 Adopted Budget as finally determined and Closing-out the FY 2015/16 Budget.

The Contra Costa 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 Board **ADOPT** final materials including:

1. Final changes to close out the 2015/2016 County Budget, including changes to revenues, appropriations, and obligated fund balances; and **AUTHORIZE** the Auditor-Controller to make the necessary changes in the financial accounting system, as reflected in Attachment A;
2. Final changes in the 2016/2017 County Budget, including designations and changes to appropriations, revenues, and obligated fund balances; and **AUTHORIZE** the County Administrator and Auditor-Controller to make technical adjustments to the budgets pursuant to Attachment B (County - Schedule A, B, and C);
3. Final changes to close out the 2015/2016 Special Districts Budget, including changes to revenues, appropriations, and obligated fund balances; and **AUTHORIZE** the Auditor-Controller to make the necessary changes in the financial accounting system, as reflected in Attachment C; and
4. Final changes in the 2016/2017 Special Districts Budget, including designations and changes to appropriations, revenues, and obligated fund balances; and **AUTHORIZE** the County Administrator and Auditor-Controller to make technical adjustments to the budgets pursuant to Attachment D (Special Districts - Schedule A, B, and C);

I hereby certify that this 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: September 27, 2016**

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

By: , Deputy

**cc:** Robert Campbell, County Auditor-Controller, Timothy Ewell, Senior Deputy County Administrator, Laura Strobel, Senior Deputy County Administrator

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various				
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>	
1151	9435	BU 0135	14,000	00		
0059	9090	BU 0059	100	00		
1881	8981	BU 0584	37,471	00		
0264	9956	BU 0264	413,586	00		
0285	9611	BU 0285	58,700	00		
0561	9560	BU 0561	125,000	00		
0663	9595	BU 0663	6,000	00		
4301	9191	BU 0077	29,000	00		
4010	9862	BU 0079	6,826,928	00		
4210	9862	BU 0148	106,798	00		
0631	9752	BU 0631	3,000	00		
1802	9432	BU 0589	113,000	00		
4280	9620	BU 0060	602,000	00		
4402	9951	BU 0111	1,131,857	00		
TOTALS			9,467,440		0	

APPROVED

AUDITOR-CONTROLLER:

BY:  DATE 8/30/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

EXPLANATION OF REQUEST

County FY2015-16 Year End Clean Up

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

SIGNATURE

TITLE

DATE

REVENUE ADJ.  
JOURNAL NO.

RAOO

**5092**

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various				
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>	
0632	9752	BU 0632	7,400	00		
0632	8981		42,700	00		
0634	8981	BU 0634	55,000	00		
0635	8981	BU 0635	11,000	00		
0637	9752	BU 0637	59,000	00		
0637	8981		348,000	00		
0645	9752	BU 0645	674,000	00		
0645	8981		739,000	00		
0651	9105	BU 0651	306,800	00		
0653	9105	BU 0653	4,600	00		
0653	8981		19,400	00		
0672	9752	BU 0672	1,193,000	00		
0684	8981	BU 0684	60,000	00		
0685	8981	BU 0685	183,000	00		
0699	8981	BU 0699	27,000	00		
0579	9975	BU 0579	5,000	00		
TOTALS			3,734,900	00	0	

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY:  DATE 8/30/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

County FY2015-16 Year End Clean Up

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

SIGNATURE

TITLE

DATE

REVENUE ADJ.  
JOURNAL NO.

RAOO

**5092**

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
2853	9951	BU 0242	444,345	00	
2838	9951		59,589	00	
0364	9690	BU 0364	5,650	00	
0005	8981	BU 0005	76,000	00	
2120	9684	BU 0202	967,000	00	
0241	9956	BU 0241	34,652	00	
0262	9956	BU 0241	34,652	00	
1881	8981	BU 0584	20,375	00	
5750	9975	BU 0450	472,300	00	
0451	9281	BU 0451	96,006	00	
5890	9296	BU 0460	194,784	00	
5741	9975	BU 0463	4,100	00	
5122	9268	BU 0501	420,000	00	
0475	8981	BU 0475	650,000	00	
6200	8129	BU 0540	4,000,000	00	
4031	9951	BU 0079	6,000	00	
TOTALS			7,485,453	00	0 00

APPROVED

AUDITOR-CONTROLLER:

BY:  DATE 8/30/10

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

EXPLANATION OF REQUEST

County FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

REVENUE ADJ.  
JOURNAL NO.

RAOO

**5092**

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

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY

☒ BOARD OF SUPERVISORS

☐ COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
1100	3580	BU 0001	20,000	00		
1100	5011				20,000	00
1112	2479	BU 0007	70,000	00		
1112	1011				70,000	00
0036	1011	BU 0036	43,000	00		
0036	5022		7,000	00		
0036	2479				50,000	00
0478	2479	BU 0478	95,000	00		
0478	5011				95,000	00
1151	2479	BU 0135			14,000	00
1696	2479	BU 0145	320,000	00		
1696	1011				40,000	00
1696	5011				280,000	00
0002	1011	BU 0002	500	00		
0002	3611				500	00
1225	2479	BU 0003	106,000	00		
1225	4951				106,000	00
1200	1011		23,100	00		
1200	3611				100	00
1210	2479		1,100	00		
1210	5022				1,100	00
0059	2251	BU 0059			100	00
1060	1011	BU 0147	1,600,000	00		
1060	2479		1,075,000	00		
1060	3611				343,000	00
1060	5011				2,332,000	00
TOTALS			3,360,700	00	3,351,800	00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY: [Signature] DATE 8/30/10

County FY2015-16 Year End Clean Up

COUNTY ADMINISTRATOR:

BY: [Signature] DATE \_\_\_\_\_

BOARD OF SUPERVISORS:

YES:

NO:

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

5092

ADJ. JOURNAL NO.

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



CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☐ COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
0356	3611	BU 0356			23,000	00
0015	1011	BU 0015	17,000	00		
0015	4951				17,000	00
1600	1011	BU 0016	841,354	00		
1600	2479				300,000	00
1600	5022				100,000	00
0019	2479	BU 0019			441,354	00
1700	1011	BU 0030	100,000	00		
1700	5022				100,000	00
0586	2479	BU 0586	10,000	00		
0586	5011				10,000	00
5560	2479	BU 0581	113,000	00		
5560	1011				102,000	00
5560	5011				11,000	00
5101	1011	BU0501	2,773,000	00		
5101	4951		228,000	00		
5101	2479				21,000	00
5101	3611				20,000	00
5101	5011				2,960,000	00
5203	1011	BU 0502	1,600,000	00		
5203	2479				1,600,000	00
5330	1011	BU 0503	202,000	00		
5330	2479				95,000	00
5330	3611				107,000	00
5450	3611	BU 0504	5,110,000	00		
5450	4951				10,000	00
5450	5011				5,100,000	00
TOTALS			10,994,354	00	11,017,354	00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY:  DATE 8/30/14

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

County FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

5092

ADJ. JOURNAL NO.

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

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☐ COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
0508	1011	BU 0508	10,000	00		
0508	5011				10,000	00
5601	1011	BU 0583	147,000	00		
5601	3611				147,000	00
1881	5011	BU 0584			37,471	00
1802	2479	BU 0589	952,200	00		
1802	5011		170,000	00		
1802	1011				500,200	00
1802	3611				735,000	00
2560	2479	BU 0260	1,200,000	00		
2560	5011				1,200,000	00
0264	5011	BU 0264	38,326	00		
0264	3611				451,912	00
2500	1011	BU 0255	400,000	00		
2500	4951		25,000	00		
2500	4952				20,000	00
2500	4954				5,000	00
2500	5011				400,000	00
2553	1011	BU 0258	66,000	00		
2553	3611				66,000	
2553	4953		154,000			
2553	5011				154,000	00
TOTALS			3,162,526	00	3,726,583	00

APPROVED

AUDITOR-CONTROLLER:

BY: [Signature] DATE 6/30/14

COUNTY ADMINISTRATOR:

BY: [Signature] DATE \_\_\_\_\_

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST

County FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

**5092**

ADJ. JOURNAL NO.



CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☐ COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
0271	2479	BU 0271	75,000	00		
0271	5011				75,000	00
2480	2479	BU 0273	3,000	00		
2480	5011				3,000	00
2590	1011	BU 0300	383,200	00		
2590	2479				375,000	00
2590	3611				1,000	00
2590	4951		241,000	00		
2590	4274				210,000	00
2590	4275				31,000	00
0359	1011	BU 0359	244,000	00		
0359	2479				237,000	00
0359	3611				200	00
0359	5011				14,000	00
3620	1011	BU 0362	200,000	00		
3620	2479				200,000	00
3000	1011	BU 0308	589,000	00		
3000	4953				76,000	00
3000	5011				513,000	00
3120	1011	BU 0309	800,000	00		
3120	2479				800,000	00
			2,535,200	00	2,535,200	00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

County FY2015-16 Year End Clean Up

BY:  DATE 8/30/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

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

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

**5092**

ADJ. JOURNAL NO.

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☐ COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
3065	3611	BU 0310	20,000	00		
3065	2479				20,000	00
0477	5011	BU 0477	65,000	00		
0477	2479				5,000	00
0477	4953				60,000	00
3300	1011	BU 0335	79,000	00		
3300	4953				51,000	00
3300	4957				28,000	00
3330	1011	BU 0366	817,000	00		
3330	2479				780,000	00
3330	3611				11,000	00
3330	4951				24,000	00
3330	5011				2,000	00
0369	2479	BU 0369	150,000	00		
0369	5011				150,000	00
2601	1011	BU 0280	1,368,100	00		
2601	3611				333,000	00
2601	5011				950,000	00
0285	2479	BU 0285	48,000	00		
0285	3611		7,300	00		
0285	1011				114,000	00
0286	3611	BU 0286			100	00
0114	4386	BU 0114			85,000	00
1580	2479	BU 0580	16,000	00		
1580	3611				5,000	00
1580	5011				11,000	00
TOTALS			2,570,400	00	2,629,100	00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY: [Signature] DATE 8/30/14

COUNTY ADMINISTRATOR:

BY: [Signature] DATE \_\_\_\_\_

BOARD OF SUPERVISORS:

YES:

NO:

County FY2015-16 Year End Clean Up

SIGNATURE TITLE DATE

APPROPRIATION APOO

5092

ADJ. JOURNAL NO.

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

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☐ COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
0591	1011	BU 0591	120,000	00		
0591	5011				120,000	00
1590	2479	BU 0592	217,000	00		
1590	5011				217,000	00
1587	2479	BU 0593	3,000	00		
1587	5011				3,000	00
0367	2479	BU 0367	100	00		
0367	5011				100	00
0561	2479	BU 0561	300,000	00		
0561	5011				425,000	00
1591	5011	BU 0596	50	00		
1591	3611				50	00
0663	2479	BU 0663	238,000	00		
0663	5011		370,000	00		
0663	3611				614,000	00
0234	2479	BU 0234	5,000	00		
0234	3611				5,000	00
2886	3611	BU 0244	10,000	00		
2886	5011				10,000	00
0364	2479	BU 0364	3,000	00		
0364	1011				3,000	00
2980	5011	BU 0295	4,000	00		
2980	3611				4,000	00
TOTALS			1,270,150	00	1,401,150	00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY:  DATE 6/30/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

County FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

**5092**

ADJ. JOURNAL NO.

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

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☐ COUNTY ADMINISTRATOR

Attachment A


ACCOUNT CODING		BUDGET UNIT: County- various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
0020	1011	BU 0020	138,052	00	
0020	2479		70,000	00	
0020	5011				3,000 00
4282	4953	BU 0064	673,000	00	
4282	1011				90,000 00
4282	3611				250,000 00
4282	5011				333,000 00
4301	5011	BU 0077	647,000	00	
4301	2479				801,000 00
4302	2479	BU 0078	2,000	00	
4302	3611				2,000 00
4010	1011	BU 0079	1,750,000	00	
4010	4103		22,000	00	
4010	4956		62,000	00	
4010	5011		3,000,000	00	
4010	2479				7,094,000 00
4010	3611				4,281,000 00
4010	4190				383 00
4010	4250				13 00
4010	4265				966 00
4010	4274				16,822 00
4010	4275				1,335 00
4010	4297				4,272 00
4010	4509				1,402 00
4010	4951				109,000 00
4010	4953				35,000 00
TOTALS			6,364,052	00	13,023,193 00

APPROVED

AUDITOR-CONTROLLER:

BY:  DATE 8/30/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

EXPLANATION OF REQUEST

County FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

5092

ADJ. JOURNAL NO.

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



CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:



BOARD OF SUPERVISORS



COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
4210	1011	BU 0148	30,800	00	
4210	4951		40,750	00	
4210	2479				76,000 00
4210	5011				302,000 00
0330	5011	BU 0330	13,000	00	
0330	2479				10,100 00
0330	3611				35 00
4730	5011	BU 0473	210,000	00	
4730	2479				210,000 00
0631	5011	BU 0631			3,000 00
0632	2479	BU 0632			100 00
0632	5011				50,000 00
0634	5011	BU 0634			55,000 00
0635	5011	BU 0635			11,000 00
0637	5011	BU 0637			407,000 00
0638	5011	BU 0638	1,000	00	
0638	2479				1,000 00
0641	5011	BU 0641	2,000	00	
0641	3611				2,000 00
0645	5011	BU 0645			1,413,000 00
0648	2479	BU 0648	100	00	
0648	3611				100 00
4500	1011	BU 0650	1,852,300	00	
4500	2479				950,000 00
4500	3611				2,300 00
4500	5011				900,000 00
TOTALS			2,149,950	00	4,392,635 00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY:  DATE 8/30/16

County FY2015-16 Year End Clean Up

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

**5092**

ADJ. JOURNAL NO.

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

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:



BOARD OF SUPERVISORS



COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
0651	2479	BU 0651	82,700	00	
0651	3611		21,500	00	
0651	5011				411,000 00
0653	5011	BU 0653			24,000 00
0660	2479	BU 0660	20,000	00	
0660	3611				20,000 00
4660	2479	BU 0661	100,000	00	
4660	3611				100,000 00
0662	2479	BU 0662	193,000	00	
0662	3611				100,000 00
0672	3611	BU 0672	156,000	00	
0672	4953		498,000	00	
0672	2479				1,322,000 00
0672	5011				525,000 00
0674	5011	BU 0674	200	00	
0674	2479				200 00
0676	2479	BU 0676	183,000	00	
0676	3611				172,000 00
0676	5011				104,000 00
0684	5011	BU 0684			60,000 00
0685	5011	BU 0685			183,000 00
0699	5011	BU 0699			27,000 00
TOTALS			1,254,400	00	3,048,200 00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY: [Signature] DATE 8/30/14

COUNTY ADMINISTRATOR:

BY: [Signature] DATE \_\_\_\_\_

BOARD OF SUPERVISORS:

YES:

NO:

County FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

5092

ADJ. JOURNAL NO.

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

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☐ COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
4841	1011	BU 0841	113,800	00	
4841	3611				37,000 00
4841	4658				2,500 00
4853	4651	BU 0843	55,000	00	
4853	4955		40,000	00	
4853	4651				43,000 00
4853	4652				66,200 00
4853	4653				10,000 00
4853	4651		1,000,000		
4853	3611				1,000,000
4844	3611	BU 0844			6,100 00
4844	5011				44,000 00
3702	1011	BU 0620	50,000	00	
3702	3611				50,000 00
3751	2479	BU 0621	3,000	00	
3751	3611				3,000 00
0579	1011	BU 0579	60,000	00	
0579	2479				65,000 00
TOTALS			1,321,800	00	1,326,800 00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY:  DATE 8/30/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

County FY2015-16 Year End Clean Up

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

SIGNATURE TITLE DATE

APPROPRIATION APOO **5092**

ADJ. JOURNAL NO.



CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:



BOARD OF SUPERVISORS



COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
4280	1011	BU 0060	222,000	00		
4280	3611		98,000	00		
4280	5011		282,000	00		
4280	2479				1,204,000	00
4500	2479	BU 0650			198,241	00
4110	4470	BU 0085	140,190	00		
4110	2479				137,171	00
4110	4117				2,931	00
4110	4190				88	00
0119	5011	BU 0119	730,000	00		
0119	3611				730,000	00
4435	4470	BU 0111	872,120	00		
4401	4140				1,266	00
4402	4265				54,557	00
4402	4268				4,418	00
4402	4269				1,072,882	00
4405	4128				636,845	00
4405	4197				38,669	00
4405	4262				112,119	00
4405	5011		198,241	00		
4407	4103				83,221	00
			2,542,551	00	4,276,408	00


APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY:  DATE 8/30/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

County FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

**5092**

ADJ. JOURNAL NO.

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

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☐ COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
2853	1011	BU 0242			149,045 00
2853	2314				138,000 00
2853	3550				11,000 00
2838	1011				59,589 00
0364	1042	BU 0364			5,650 00
2895	1011	BU 0245	115,400 00		
2895	2262				15,780 00
2895	5022				245,920 00
1780	1011	BU 0249	555,000 00		
1780	2479				485,000 00
1780	3611				70,000 00
2900	1011	BU 0243	10,200 00		
2900	4953		640 00		
2900	5011		11,450 00		
2900	2479				98,290 00
4405	4262	BU 0111	112,119 00		
2120	2479	BU 0202	425,000 00		
2120	3611				650,000 00
2120	5011		17,000 00		
2120	1011				770,000 00
0238	2479	BU 0238	5,000 00		
0239	2479	BU 0239	6,000 00		
TOTALS			1,257,809 00		2,698,274 00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY: [Signature] DATE 8/30/16

COUNTY ADMINISTRATOR:

BY: [Signature] DATE \_\_\_\_\_

BOARD OF SUPERVISORS:

YES:

NO:

County FY2015-16 Year End Clean Up

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

SIGNATURE TITLE DATE

APPROPRIATION APOO **5092**

ADJ. JOURNAL NO.

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:



BOARD OF SUPERVISORS



COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
1505	2479	BU 0150	70,000	00	
1505	5011				70,000 00
5635	1011	BU 0506	500	00	
5636	5011				500 00
6050	2479	BU 0471	425,000	00	
6050	3580				425,000 00
0241	3611	BU 0241			1,575 00
0241	5011				33,077 00
0262	3611	BU 0262			1,572 00
0262	5011				33,080 00
0263	5011	BU 0263	2,000	00	
0263	3611				2,000 00
1881	5011	BU 0584			20,375 00
0478	3611	BU 0478	40,000	00	
0478	2479				40,000 00
TOTALS			537,500	00	627,179 00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY:  DATE 8/30/16

County FY2015-16 Year End Clean Up

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

5092

ADJ. JOURNAL NO.

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

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:



BOARD OF SUPERVISORS



COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County - various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
5700	1011	BU 0301	255,000	00	
5700	4954		23,000	00	
5700	2479				270,000 00
5700	3611				500 00
5700	5011				7,500 00
5750	1011	BU 0450	700,500	00	
5750	5011		17,500	00	
5750	3611		1,200	00	
5750	2479				1,138,500
5750	4971				53,000
0451	1011	BU 0451	110,500	00	
0451	2479				204,000 00
0451	5011				500 00
0454	1011	BU 0454	60,000	00	
0454	2479				60,000 00
5890	1011	BU 0460	106,458	00	
5890	4948		11,833	00	
5890	3611		600	00	
5890	2479				282,860 00
5731	1011	BU 0463	3,696	00	
5731	5011		302,099	00	
5731	2479				342,716 00
TOTALS			1,592,386	00	2,359,576 00

APPROVED

AUDITOR-CONTROLLER:

BY: [Signature] DATE 8/30/16

COUNTY ADMINISTRATOR:

BY: [Signature] DATE \_\_\_\_\_

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST

County FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION

APOO

5092

ADJ. JOURNAL NO.

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☐ COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County - various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
5900	2479	BU 0466	72,000	00	
5900	3611				1000 00
5900	5011				71,000 00
5901	2479	BU 0467	1,000,000	00	
5901	3611				400,000 00
5901	5011				600,000 00
5101	2479	BU 0501			420,000 00
6050	3580	BU 0471	150,000	00	
6050	2479				150,000 00
0475	5011	BU 0475			650,000 00
6992	3505	BU 0853	1,560,000	00	
6200	1011	BU 0540	760,000	00	
6200	2861				6,320,000 00
6100	2801	BU 0860	200,000	00	
6100	3580				200,000 00
0311	5011	BU 0311	32,400	00	
0241	5011	BU 0241			2,350 00
0262	5011	BU 0262			30,050 00
TOTALS			3,774,400	00	8,844,400 00

APPROVED

AUDITOR-CONTROLLER:  
BY: [Signature] DATE 8/30/16

COUNTY ADMINISTRATOR:  
BY: [Signature] DATE \_\_\_\_\_

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST

County FY2015-16 Year End Clean Up

SIGNATURE	TITLE	DATE
APPROPRIATION ADJ. JOURNAL NO.	APOO	<b>5092</b>



CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:



BOARD OF SUPERVISORS



COUNTY ADMINISTRATOR

Attachment A

ACCOUNT CODING		BUDGET UNIT: County- various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
4280	4955	BU 0060	17,000	00	
4280	2110				17,000 00
4031	1011	BU 0079	1,000	00	
4031	4956		1,500	00	
4031	5011		7,500	00	
4031	2479				16,000 00
TOTALS			27,000	00	33,000 00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY:  DATE 8/30/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

County FY2015-16 Year End Clean Up

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

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

5092

ADJ. JOURNAL NO.

**CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT  
T/C 27**

**AUDITOR CONTROLLER USE ONLY**

Final Approval Needed By:

☒ Board Of Supervisors  
☐ County Administrator

Attachment A

ACCOUNT CODING		BUDGET UNIT 0861:ENTERPRISE FUND 146100 (HMO ENTERPRISE-COMMUNITY PLAN)		Page 1 of 1	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >		INCREASE
6271	2861	MEDICAL PURCHASED SERVICES			12,636,546 00
6271	3580	CONTRIB TO OTHER AGENCIES			10,848 00
			\$ - 00		\$12,647,394 00

Approved  
AUDITOR - CONTROLLER

By:  Date: 8/16/16

COUNTY ADMINISTRATOR

By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

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

**EXPLANATION OF REQUEST**

FY 2015/16 appropriation adjustment for Fund 146100:

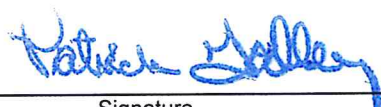
Expenditure Increase/(Decrease)	\$12,647,394
Revenue Increase/(Decrease)	\$12,647,394 *
County Subsidy Increase/(Decrease)	\$0
Additional Revenue Adj. Needed to Correct Imbalance Between Current Budgeted Expenditures and Budgeted Revenue	\$1,558,886 *

Note:

\* Revenue Adjustments = \$12,647,394 + 1,558,886 = \$14,206,280

Explanation:

To adjust appropriations and revenues to reflect changes to estimated FY 15/16 CCHP Community Plan premiums and expenditures.



Signature

Title

06/30/16

Date

Appropriation  
Adj. Journal NO.

AP00 5090



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: Conservatorship 0451	Page 1 of 1	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
0451	1011	Permanent Salaries	8,019 .00	
0451	2340	Other Interdepartmental Charges	156,772 .00	
0451	5011	Reimbursement Gov/Gov		2,750 .00
			164,791 .00	2,750 .00

Approved  
AUDITOR - CONTROLLER

By: 

Date: 8/10/16

COUNTY ADMINISTRATOR

By: 

Date:

BOARD OF SUPERVISORS

YES:

NO:

By:

Date:

## EXPLANATION OF REQUEST

To realign budget with projected expenditures

## Summary:

Expenditure Increase(Decrease)	\$ (162,041)
Revenue Increase(Decrease)	20,000
Co. Contrib. Increase(Decrease)	<u>\$ (182,041)</u>



Signature

Title

06/29/16

Date

APPROPRIATION  
Adj. Journal NO.

AP00 5090

## Attachment A

Approved  
AUDITOR - CONTROLLER

By: Agarwal Date: 8/16/16

---

COUNTY ADMINISTRATOR

By: [Signature] Date:           

---

BOARD OF SUPERVISORS

YES:

NO:

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

To realign budget with projected revenues

Expenditure Increase(Decrease)  
Revenue Increase(Decrease)  
Co. Contrib. Increase(Decrease)

\$	(162,041)
	20,000
<u>\$</u>	<u>(182,041)</u>

Patrice Zoller

Signature  
PATRICK GODLEY

COO/CFO	
Title	

06/29/16  
Date

Revenue Adj.  
Journal NO.

RA00 5090

## AUDITOR CONTROLLER USE ONLY

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT  
T/C 27

Final Approval Needed By:

- ☒ Board Of Supervisors  
☐ County Administrator

ACCOUNT CODING		BUDGET UNIT: Homeless Programs (#0463)		Page 1 of 1
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
5731	1011	Permanent Salaries	243,950 .00	.00
5731	2310	Non-Cnty Prof./Spclzd Svcs		1,701,524
5731	5022	Intrafund-Trans Services	1,095,612	
			1,339,562 .00	1,701,524 .00

Approved

AUDITOR - CONTROLLER

By:

Date: 6/16/16

COUNTY ADMINISTRATOR

By:

Date:

BOARD OF SUPERVISORS

YES:

NO:

By:

Date:

## EXPLANATION OF REQUEST

This adjustment is necessary to align the budget with projected annual expenditures.

## Summary:

Expenditure Increase(Decrease)	\$ 361,962
Revenue Increase(Decrease)	223,142
Co. Contrib. Increase(Decrease)	<u>\$ 138,820</u>

Signature

Title

06/28/16


Date

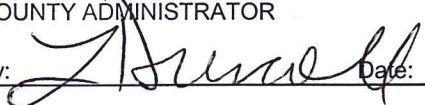
Appropriation  
Adj. Journal NO.

AP00 5090

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

ACCOUNT CODING		BUDGET UNIT: Homeless Programs (#0463)	page 1 of 1	
ORG'N.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
5731	9499	Misc Fed Health Projects	223,142 .00	.00
			223,142 .00	- .00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 6/16/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

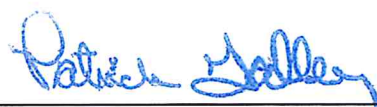
By: \_\_\_\_\_ Date: \_\_\_\_\_

EXPLANATION OF REQUEST

This adjustment is necessary to align the budget with the actual revenue adopted budget level.

Summary:

Expenditure Increase(Decrease)	\$ 361,962
Revenue Increase(Decrease)	223,142
Co. Contrib. Increase(Decrease)	<u>\$ 138,820</u>

  
Signature  
PATRICK GODLEY

COO/CFO  
Title

06/28/16  
Date

Revenue Adj.  
Journal NO.

RA00 5090



CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT  
T/C 27


AUDITOR CONTROLLED USE ONLY

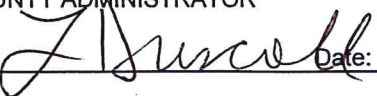
Final Approval Needed By:

☒ Board Of Supervisors

☐ County Administrator

ACCOUNT CODING		BUDGET UNIT: SB12 EMS FUND 113500 (0471)	Page 1 of 1	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
6050	2310	NON COUNTY PROF SPCLZD SVCS	556,828 00	
6051	2310	NON COUNTY PROF SPCLZD SVCS		105,302 00
6052	2310	NON COUNTY PROF SPCLZD SVCS		51,420 00
6053	2310	NON COUNTY PROF SPCLZD SVCS		114,650 00
6055	2310	NON COUNTY PROF SPCLZD SVCS		68,320 00
6050	2328	ADMINISTRATIVE SERVICE		54,153 00
6050	3580	CONTRIB TO OTHER AGENCIES		44,420 00
6051	3580	CONTRIB TO OTHER AGENCIES		136,903 00
6052	3580	CONTRIB TO OTHER AGENCIES		72,953 00
6053	3580	CONTRIB TO OTHER AGENCIES		107,285 00
6055	3580	CONTRIB TO OTHER AGENCIES		61,593 00
			\$556,828 00	\$816,999 00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 9/10/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

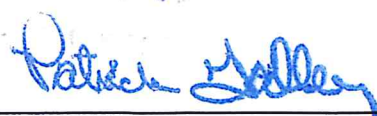
By: Date:

EXPLANATION OF REQUEST

To Adjust FY 15/16 Expenditure Appropriations To Current Estimates.

Revenue Increase(Decrease)	\$260,171.00
Expense Increase(Decrease)	\$260,171.00
Subsidy Increase (Decrease)	\$0.00

SB12 FUND 15 AM 3-55

  
Signature Title  
Patrick Godley COO/CFO  
Date  
06/29/16


Appropriation

AP00 5090

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

Attachment A

ACCOUNT CODING		BUDGET UNIT: SB12 EMS FUND 113500 (0471)	Page 1 of 1	
ORG'N.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
6050	9161	GENERAL FINES	24,717 00	
6051	9161	GENERAL FINES	129,019 00	
6052	9161	GENERAL FINES	37,816 00	
6053	9161	GENERAL FINES	55,612 00	
6055	9161	GENERAL FINES	10,360 00	
6050	9181	EARNINGS ON INVESTMENT	135 00	
6051	9181	EARNINGS ON INVESTMENT	669 00	
6052	9181	EARNINGS ON INVESTMENT	579 00	
6053	9181	EARNINGS ON INVESTMENT	856 00	
6055	9181	EARNINGS ON INVESTMENT	408 00	
			\$260,171 00	\$0 00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 8/16/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

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

EXPLANATION OF REQUEST

To Adjust FY 15/16 Revenue Appropriations To Current Estimates.

Revenue Increase(Decrease)	\$260,171.00
Expense Increase(Decrease)	260,171.00
Subsidy Increase (Decrease)	\$0.00



Signature  
Patrick Godley

COO/CFO  
Title


06/29/16  
Date

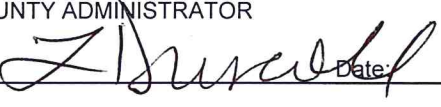
Revenue Adj.  
Journal NO.

RA00 5090

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

ACCOUNT CODING		BUDGET UNIT: PROP 63 MH SVCS ACT (0475)		page 1 of 1	
ORG'N.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>	
0475	9435	MISCELLANEOUS STATE AID	00	8,163,950	00
			- 00	8,163,950	00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 8/10/16

COUNTY ADMINISTRATOR  
By:  Date: \_\_\_\_\_

BOARD OF SUPERVISORS  
YES:  
  
NO:  
  
By: \_\_\_\_\_ Date: \_\_\_\_\_

## EXPLANATION OF REQUEST

Adjust estimated revenue per Prop. 63 latest 2016 projection.

## Summary:

Expenditure Increase(Decrease)	\$ (8,163,950)
Revenue Increase(Decrease)	(8,163,950)
Co. Contrib. Increase(Decrease)	\$ -



Signature  
PATRICK GODLEY

COO/CFO  
Title

06/28/16  
Date

Revenue Adj.  
Journal NO.

RA00 5090



CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT  
T/C 27

## AUDITOR CONTROLLER USE ONLY

Final Approval Needed By:

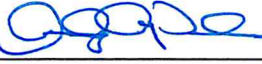


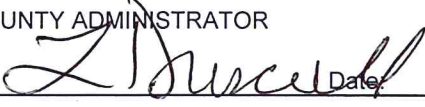
Board Of Supervisors



County Administrator

ACCOUNT CODING		BUDGET UNIT: PROP 63 MH SVCS ACT (0475)		Page 1 of 1	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE	
0475	5011	REIMBURSEMENT-GOV/ GOV	4,002,620 .00	.00	
0475	5016	TRANSFERS - GOV/ GOV	4,161,330 .00		
			8,163,950 .00	- .00	

Approved  
AUDITOR - CONTROLLER  
By:  Date: 8/16/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

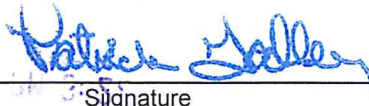
By: \_\_\_\_\_ Date: \_\_\_\_\_

## EXPLANATION OF REQUEST

Adjust original appropriation per Prop. 63 latest 2016 projection.

## Summary:

Expenditure Increase(Decrease)	\$ (8,163,950)
Revenue Increase(Decrease)	(8,163,950)
Co. Contrib. Increase(Decrease)	\$ -

  
Signature

Title

06/28/16

Date

Appropriation  
Adj. Journal NO.

AP00 5090

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT /  
ALLOCATION ADJUSTMENT  
**T/C 27**

AUDITOR-CONTROLLER USE **Attachment A**

FINAL APPROVAL NEEDED BY:

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

ACCOUNT CODING		DEPARTMENT : Health Svcs-Calif Child Services #0460				Page 1 of 1	
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE		
5890	1011	Perm Salaries	227,000	00			
5890	1042	FICA	26,019	00			
5890	1044	Retirement Expense	86,925	00			
5890	1060	Employee Group Insurance	64,008	00			
5890	1061	Retiree Health Insurance	12,000	00			
5890	2262	Bld Occupancy Costs	60,000	00			
5890	2300	Transportation and Travel	28,040	00			
5890	2310	Non Cnty Prof Splzd Svcs	150,000	00			
5890	2314	Contracted Temporary Help	122,956	00			
5890	4948	Miscellaneous Equipment			4,812	00	
TOTALS			776,948	00	4,812	00	

**APPROVED**

AUDITOR-CONTROLLER:

BY: *[Signature]* DATE 6/16/16

COUNTY ADMINISTRATOR:

BY: *[Signature]* DATE \_\_\_\_\_

BOARD OF SUPERVISORS:

YES:

NO:

EXPLANATION OF REQUEST:

To adjust fiscal year ending 6/30/16 appropriation based on the most current estimates

Expenditure Increase (Decrease) (\$772,136.00)

Revenue Increase (Decrease) \$927,889.00

Co. Contrib. Increase (Decrease) (\$1,700,025.00)

*[Signature]* COO/CFO 6/28/2016  
SIGNATURE TITLE DATE

APPROPRIATION APOO 5090

ADJ. JOURNAL NO.

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

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

AUDITOR-CONTROLLER USE **Attachment A**

FINAL APPROVAL NEEDED BY:

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

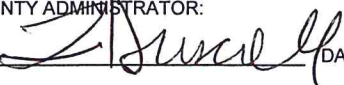
ACCOUNT CODING		DEPARTMENT : Health Svcs-Calif Child Services #0460			Page 1 of 1	
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>	
5890	9263	State Aid-Realignment-Sales Tax	87,492	00		
5890	9295	State Aid for Crippled Child	725,393	00		
5890	9895	Misc. Current Services	73,769	00		
5890	9975	Misc. Non-Taxable Revenue	41,235	00		
TOTALS			927,889	00	0	00

**APPROVED**

AUDITOR-CONTROLLER:

BY:  DATE 8/10/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST:

To adjust fiscal year ending 6/30/16 appropriation based on the most current estimates

Expenditure Increase (Decrease) (\$772,136.00)

Revenue Increase (Decrease) \$927,889.00

Co. Contrib. Increase (Decrease) (\$1,700,025.00)

  
SIGNATURE TITLE

6/28/2016  
DATE

REVENUE ADJ.

RA00

5090

JOURNAL NO.

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT  
T/C 27

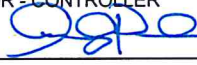
AUDITOR CONTROLLER USE ONLY Attachment A

Final Approval Needed By:

☒ Board Of Supervisors

☐ County Administrator

ACCOUNT CODING		BUDGET UNIT: ENVIRONMENTAL HEALTH (0452)	Page 1 of 2	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
5880	1011	PERMANENT SALARIES	200,000 .00	
5884	1011	PERMANENT SALARIES	95,000 .00	
5885	1011	PERMANENT SALARIES	200,000 .00	
5879	1013	TEMPORARY SALARIES	190,000 .00	
5889	1013	TEMPORARY SALARIES	45,000 .00	
5873	1042	F.I.C.A.	30,000 .00	
5875	1042	F.I.C.A.	15,000 .00	
5876	1042	F.I.C.A.	25,000 .00	
5877	1042	F.I.C.A.	18,000 .00	
5878	1042	F.I.C.A.	25,000 .00	
5879	1042	F.I.C.A.	5,000 .00	
5880	1042	F.I.C.A.	8,000 .00	
5884	1042	F.I.C.A.	8,000 .00	
5885	1042	F.I.C.A.	8,000 .00	
5877	1044	RETIREMENT EXP	30,000 .00	
5878	1044	RETIREMENT EXP	15,000 .00	
5879	1044	RETIREMENT EXP	10,000 .00	
5880	1044	RETIREMENT EXP	190,000 .00	
5884	1044	RETIREMENT EXP	155,000 .00	
5885	1044	RETIREMENT EXP	190,000 .00	
5886	1044	RETIREMENT EXP	100,000 .00	
5889	1044	RETIREMENT EXP	140,000 .00	
5873	1060	EMPL GRP INS	10,000 .00	
5877	1060	EMPL GRP INS	17,000 .00	
5878	1060	EMPL GRP INS	10,000 .00	
5879	1060	EMPL GRP INS	15,000 .00	
5880	1060	EMPL GRP INS	16,000 .00	
5884	1060	EMPL GRP INS	22,000 .00	
5885	1060	EMPL GRP INS	16,000 .00	
5889	1060	EMPL GRP INS	22,000 .00	
5880	1070	WORKERS COMPENSATION INS	4,000 .00	
5884	1070	WORKERS COMPENSATION INS	3,000 .00	
5885	1070	WORKERS COMPENSATION INS	3,000 .00	
5889	1070	WORKERS COMPENSATION INS	10,000 .00	
			\$1,850,000 .00	\$0 .00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 8/16/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS  
YES:

NO:

By: Date:

EXPLANATION OF REQUEST

To adjust Fiscal year-end 6/30/16 appropriation based on the most current estimates.

Revenue Increase(Decrease)	(\$2,453,630)
Expense Increase(Decrease)	(2,453,630)
Subsidy Increase (Decrease)	\$0.00

Budgeted Expenditures	\$20,760,876
Revised FY2015/16 Expenditures	18,307,246
FY15/16 Expenditure Decrease	(\$2,453,630)

2016 JUL 15 PM 3:55



Signature  
PATRICK GODLEY

COO/CFO  
Title

07/06/16  
Date

Appropriation  
Adj. Journal NO.

AP00 5090



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: ENVIRONMENTAL HEALTH (0452)	Page 2 of 2	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
5879	2111	TELEPHONE EXCHNGE SERVICE	2,000 .00	
5879	2130	SMALL TOOLS & INSTRUMENTS	20,000 .00	
5889	2130	SMALL TOOLS & INSTRUMENTS	3,000 .00	
5879	2131	MINOR FURNITURE/EQUIPMENT	70,000 .00	
5889	2131	MINOR FURNITURE/EQUIPMENT	100,000 .00	
5879	2140	MEDICAL & LAB SUPPLIES	25,000 .00	
5879	2190	PUBLICATNS & LEGL NOTICES	2,500 .00	
5889	2190	PUBLICATNS & LEGL NOTICES	2,500 .00	
5879	2250	RENTS & LEASES -EQUIPMENT	10,000 .00	
5879	2251	COMPUTER SOFTWARE COST	10,000 .00	
5889	2251	COMPUTER SOFTWARE COST	10,000 .00	
5875	2270	MAINTENANCE -EQUIPMENT	70,000 .00	
5879	2310	NON CNTY PROF SPCLZD SVCS	50,000 .00	
5889	2310	NON CNTY PROF SPCLZD SVCS	10,000 .00	
5879	4951	OFFICE EQUIP & FURNITURE	13,630 .00	
5876	5022	INTRAFUND-TRANS-SERVICES	145,000 .00	
5877	5022	INTRAFUND-TRANS-SERVICES	20,000 .00	
5878	5022	INTRAFUND-TRANS-SERVICES	6,000 .00	
5880	5022	INTRAFUND-TRANS-SERVICES	4,000 .00	
5886	5022	INTRAFUND-TRANS-SERVICES	10,000 .00	
5880	5011	REIMBURSEMENTS-GOV/GOV	4,000 .00	
5881	5011	REIMBURSEMENTS-GOV/GOV	3,500 .00	
5884	5011	REIMBURSEMENTS-GOV/GOV	7,500 .00	
5885	5011	REIMBURSEMENTS-GOV/GOV	1,500 .00	
5886	5011	REIMBURSEMENTS-GOV/GOV	3,500 .00	
			<b>\$603,630 .00</b>	<b>\$0 .00</b>

Approved  
AUDITOR - CONTROLLER  
By: [Signature] Date: 07/06/16

COUNTY ADMINISTRATOR  
By: [Signature] Date: 07/06/16

BOARD OF SUPERVISORS  
YES:  
NO:  
By: \_\_\_\_\_ Date: \_\_\_\_\_

## EXPLANATION OF REQUEST

To adjust Fiscal year-end 6/30/16 appropriation based on the most current estimates.

Revenue Increase(Decrease)	(\$2,453,630.00)
Expense Increase(Decrease)	(\$2,453,630.00)
Subsidy Increase (Decrease)	\$0.00

Budgeted Expenditures	\$20,760,876
Revised FY2015/16 Expenditures	18,307,246
FY15/16 Expenditure Decrease	(\$2,453,630)

Signature  
PATRICK GODLEY

Title  
COO/CFO

Date  
07/06/16


Appropriation  
Adj. Journal NO.

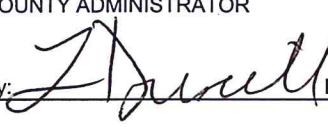
AP00 **5090**

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

Attachment A

ACCOUNT CODING		BUDGET UNIT: ENVIRONMENTAL HEALTH (0452)	Page 1 of 1	
ORG'N.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
5877	9761	HEALTH INSPECTION FEES		34,500 00
5878	9761	HEALTH INSPECTION FEES		859,130 00
5885	9761	HEALTH INSPECTION FEES		260,000 00
5886	9761	HEALTH INSPECTION FEES		820,000 00
5884	9775	MISC HEALTH FEES		280,000 00
5880	9799	MISC SANITATION SERVICE		200,000 00
			\$0 00	\$2,453,630 00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 8/10/10

COUNTY ADMINISTRATOR  
By:  Date:


BOARD OF SUPERVISORS  
YES:  
NO:  
By: \_\_\_\_\_ Date: \_\_\_\_\_

EXPLANATION OF REQUEST

To adjust Fiscal year-end 6/30/16 appropriation based on the most current estimates.

Revenue Increase(Decrease)	(\$2,453,630.00)
Expense Increase(Decrease)	(\$2,453,630.00)
Subsidy Increase (Decrease)	\$0.00

Budgeted Revenues	\$20,148,551
Revised FY2015/16 Revenues	17,694,921
FY15/16 Revenue Decrease	(\$2,453,630)

Signature:  Title: COO/CFO Date: 07/06/16

PATRICK GODLEY

Revenue Adj. Journal NO. RA00 5090



CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT /  
ALLOCATION ADJUSTMENT  
**T/C 27**

AUDITOR-CONTROLLER USE ONLY ~~Attachment A~~

FINAL APPROVAL NEEDED BY:

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

ACCOUNT CODING		DEPARTMENT : Health Services-Public Health #0450	page 1 of 1	
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE
5750	1011	Permanent Salaries	536,760 00	
5750	1060	Employee Group Ins	592,761 00	
5750	1013	Temporary Salaries	256,856 00	
5750	1061	Retiree Health	220,000 00	
5750	1018	Perm Phys Additional Duty Pay	21,505 00	
TOTALS			1,627,882 00	0 00

**APPROVED**

AUDITOR-CONTROLLER:

BY:  DATE 8/10/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

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

**EXPLANATION OF REQUEST:**

To adjust fiscal year ending 6/30/16 appropriation based on the most current estimates

Summary:

Expenditure Increase(Decrease) \$ (1,627,882)

Revenue Increase(Decrease) (5,354,528)

Co. Contrib. Increase(Decrease) \$ 3,726,646

  
Patrick Godley COO/CFO  
SIGNATURE TITLE

7/6/2016  
DATE

APPROPRIATION APOO 5090  
ADJ. JOURNAL NO.

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

AUDITOR-CONTROLLER **Attachment A**

FINAL APPROVAL NEEDED BY:

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

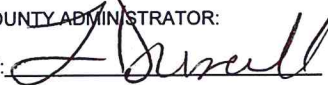
ACCOUNT CODING		DEPARTMENT : Health Services-Public Health #0450	page 1 of 1	
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
5750	9194	Rent of Office Space		3,633,929 00
5750	9281	Admin-State Health Misc		1,035,500 00
5750	9494	Federal WIC Program		284,533 00
5750	9776	Lab Services		400,566 00
5750	9595	Misc Govt Agencies		48,650 00
5750	9975	Misc Non-taxable Revenue	48,650 00	
TOTALS			48,650 00	5,403,178 00

**APPROVED**

AUDITOR-CONTROLLER:

BY:  DATE 6/16/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST:


To adjust fiscal year ending 6/30/16 appropriation based on the most current estimates

Summary:

Expenditure Increase(Decrease) \$ (1,627,882)

Revenue Increase(Decrease) (5,354,528)


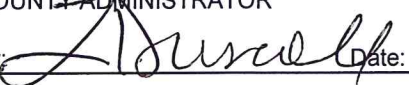

Co. Contrib. Increase(Decrease) \$ 3,726,646

  
Patrick Godley COO/CFO 7/6/2016  
SIGNATURE TITLE DATE  
REVENUE ADJ. 5090  
JOURNAL NO. RAOO

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

ACCOUNT CODING		BUDGET UNIT: Detention (0301)	page 1 of 1	
ORG'N.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
5700	9259	State Aid Realignment-VLF	12,889 .00	
			12,889 .00	- .00

<p>Approved AUDITOR - CONTROLLER</p> <p>By:  Date: 8/16/16</p> <hr/> <p>COUNTY ADMINISTRATOR</p> <p>By:  Date: _____</p> <hr/> <p>BOARD OF SUPERVISORS</p> <p>YES:</p> <p>NO:</p> <p>By: _____ Date: _____</p>	<p>EXPLANATION OF REQUEST</p> <p>To increase appropriation related to State Aid Realignment-VLF</p> <p>Summary:</p> <table style="width: 100%;"> <tr> <td style="width: 80%;">Expenditure Increase(Decrease)</td> <td style="width: 20%; text-align: right;">\$ (569,790)</td> </tr> <tr> <td>Revenue Increase(Decrease)</td> <td style="text-align: right;">12,889</td> </tr> <tr> <td>Co. Contrib. Increase(Decrease)</td> <td style="text-align: right; border-top: 1px solid black; border-bottom: 3px double black;">\$ (582,679)</td> </tr> </table> <div style="text-align: center;">               Signature              PATRICK GODLEY         </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div> <p>COO/CFO</p> <p>Title</p> <p>Revenue Adj. Journal NO.</p> </div> <div style="text-align: right;"> <p>06/28/16</p> <p>Date</p> <p><b>RA00 5090</b></p> </div> </div>	Expenditure Increase(Decrease)	\$ (569,790)	Revenue Increase(Decrease)	12,889	Co. Contrib. Increase(Decrease)	\$ (582,679)
Expenditure Increase(Decrease)	\$ (569,790)						
Revenue Increase(Decrease)	12,889						
Co. Contrib. Increase(Decrease)	\$ (582,679)						

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT  
T/C 27

## AUDITOR CONTROLLER USE ONLY

Final Approval Needed By:

- ☒ Board Of Supervisors  
☐ County Administrator

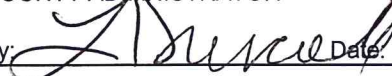
ACCOUNT CODING		BUDGET UNIT: Detention (0301)	Page 1 of 1	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
5700	1011	Permanent Salaries	852,721 .00	
5700	2141	Pharmaceutical Supplies		207,160 .00
5701	4000	Buiding MTC Svcs Admin.		75,771 .00
			852,721 .00	282,931 .00

Approved

AUDITOR - CONTROLLER

By:  Date: 8/16/16

COUNTY ADMINISTRATOR

By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

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

## EXPLANATION OF REQUEST

To adjust salaries, supplies and Building Maintenance appropriations due to increased costs above the adopted budget level.

## Summary:

Expenditure Increase(Decrease)	\$ (569,790)
Revenue Increase(Decrease)	12,889
Co. Contrib. Increase(Decrease)	<u>\$ (582,679)</u>

Signature

Title

06/28/16

Date

Appropriation  
Adj. Journal NO.

AP00 5090



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: AODS - 0466	Page 1 of 1	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
5920	1011	PERMANENT SALARIES	209,052.00	
5933	1011	PERMANENT SALARIES	337,076.00	
5920	1042	F.I.C.A.	15,000.00	
5920	1044	RETIREMENT EXPENSE	80,000.00	
5933	1042	F.I.C.A.	2,141.00	
5933	1044	RETIREMENT EXPENSE	140,000.00	
5938	1044	RETIREMENT EXPENSE	45,000.00	
5920	1060	EMPLOYEES GROUP INSURANCE	35,000.00	
5933	1060	EMPLOYEES GROUP INSURANCE	74,000.00	
5938	1060	EMPLOYEES GROUP INSURANCE	24,000.00	
5900	2320	OUTSIDE MEDICAL SERVICES		3,283,553.00
5900	5022	INTRAFUND TRANSFER SERVICES	129,532.00	
			1,090,801 .00	3,283,553 .00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 6/16/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

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

## EXPLANATION OF REQUEST

This adjustment is necessary to align the budget with projected Annual Expenditures.

## Summary:

Expenditure Increase(Decrease)	\$ (2,192,752)
Revenue Increase(Decrease)	2,192,752
Co. Contrib. Increase(Decrease)	\$ -

Signature

Title

06/28/16


Date


Appropriation  
Adj. Journal NO.

AP00 5090

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

ACCOUNT CODING		BUDGET UNIT: AODS - 0466		page 1 of 1	
ORG'N.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>	
5900	9785	M/H SERVICES MEDI-CAL	1,445,056.00		
5900	9951	REIMBURSEMENTS - GOV/GOV		490,927.00	
5938	9975	MISC NON-TAXABLE REVENUE	105,588.00		
5900	9322	SUBSTANCE ABUSE GRANTS	1,133,035.00		
			2,683,679 .00	490,927 .00	

Approved  
AUDITOR - CONTROLLER  
By:  Date: 6/16/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

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

EXPLANATION OF REQUEST

This adjustment is necessary to align the budget with projected Annual Revenues.

Summary:

Expenditure Increase(Decrease)	\$ (2,192,752)
Revenue Increase(Decrease)	2,192,752
Co. Contrib. Increase(Decrease)	\$ -

  
Signature  
PATRICK GODLEY

COO/CFO  
Title

06/28/16  
Date

Revenue Adj.  
Journal NO.

RA00 5090



## AUDITOR CONTROLLER USE ONLY

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT  
T/C 27

Final Approval Needed By:

☒ Board Of Supervisors☐ County Administrator

ACCOUNT CODING		BUDGET UNIT: Mental Health Services (0467)	Page 1 of 1	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
5721	1011	Permanent Salaries	689,261 .00	
5901	1013	Temporary Salaries		176,202 .00
5946	1017	Permanent Physician Salaries	354,801 .00	
5941	1044	Retirement Expense	362,286 .00	
5941	1060	Employee Group Insurance	638,167 .00	
5901	1061	Retiree Health Insurance	172,107 .00	
5901	2141	Pharmaceutical Supplies	335,377 .00	
5901	2262	Occupancy Costs		794,007 .00
5901	2310	Non County Professional Specialized Services		6,222,678 .00
5913	2310	Non County Professional Specialized Services	174,916 .00	
5901	2320	Outside Medical Services		1,400,493 .00
5721	2320	Outside Medical Services	348,845 .00	
5901	2321	County Hospital Services		3,120,081 .00
5901	2340	Other Interdepartmental Charge	676,498 .00	
5913	2340	Other Interdepartmental Charge	707,118 .00	
5868	2479	Other Special Departmental Exp	1,982,930 .00	
5724	2479	Other Special Departmental Exp	1,140,294 .00	
5901	3310	State Hospital Use		209,183 .00
5971	3510	Interest On Bonds		365,456 .00
5954	4951	Office Equip & Furnitures		2,182 .00
5901	5021	Interfund-Trans-Salaries	23,118 .00	
			7,605,718 .00	12,290,282 .00

Approved

AUDITOR - CONTROLLER

By:  Date: 6/16/16

COUNTY ADMINISTRATOR

By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

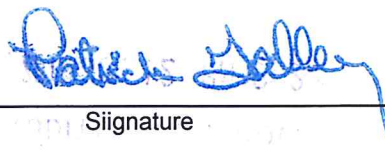
By: \_\_\_\_\_ Date: \_\_\_\_\_

## EXPLANATION OF REQUEST

To Adjust Revenue Resulting From Decrease In Grants & Reimbursement From  
The Adopted Budget Level.

## Summary:

Expenditure Increase(Decrease)	\$ 4,684,564
Revenue Increase(Decrease)	2,484,564
Co. Contrib. Increase(Decrease)	<u>\$ 2,200,000</u>



Signature

Title

07/07/16

Date


Appropriation  
Adj. Journal NO.

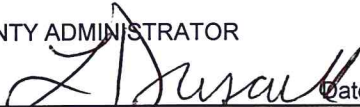
AP00

5090

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

ACCOUNT CODING		BUDGET UNIT: Mental Health Services (0467)	page 1 of 1	
ORG'N.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
5901	9781	MH Svcs - Medicare	467,691 00	
5901	9782	MH Svcs - Pvt Pay/Ins	720,311 00	
5901	9785	MH Svcs - Medi-Cal	3,100,000 00	
5941	9785	MH Svcs - Medi-Cal	4,111,225 00	
5901	9786	MH Svcs - Other HMO		6,644 00
5721	9951	Reimbursement (Gov/Gov)		4,161,330 00
5913	9951	Reimbursement (Gov/Gov)		882,034 00
5941	9951	Reimbursement (Gov/Gov)	3,311,922 00	
5941	9310	ST AID REALIGNMENT-M/H	533,946 00	
5941	9311	ST AID REALIGNMENT-VLF-MH	895,977 00	
5901	9191	Rent on Real Estate		5,216,472 00
5901	9161	General Fine		179,361 00
5901	9975	Misc Non-Taxable Reveune		210,667 00
			13,141,072 00	10,656,508 00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 8/16/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

By: Date:

EXPLANATION OF REQUEST

To Adjust Appropriation for Salaries & Benefits and Services & Supplies Due To Increased Costs Above The Adopted Budget Level.

Summary:

Expenditure Increase(Decrease)	\$ 4,684,564
Revenue Increase(Decrease)	2,484,564
Co. Contrib. Increase(Decrease)	<u>\$ 2,200,000</u>



Signature  
PATRICK GODLEY

COO/CFO  
Title

07/07/16  
Date

Revenue Adj.  
Journal NO.

RA00 5090

**CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT  
T/C 27**

**AUDITOR CONTROLLER USE ONLY**

Final Approval Needed By:

☒ Board Of Supervisors☐ County Administrator

Page 1 of 1

ACCOUNT CODING		BUDGET UNIT 0860:ENTERPRISE FUND 146000 (HMO ENTERPRISE)		Page 1 of 1
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
6100	1011	PERMANENT SALARIES	\$890,962 00	
6100	2861	MEDICAL-PURCHASED SERVICES		\$110,795,455 00
6100	3580	CONTRIB TO OTHER AGENCIES		\$9,336,273 00
			\$890,962 00	\$120,131,728 00

Approved

**EXPLANATION OF REQUEST**

AUDITOR - CONTROLLER

To adjust FY 2015/16 EF-II appropriations to current estimates.

By:  Date: 6/16/16

Increase(Decrease) in Revenues	\$119,240,766
Increase(Decrease) in Expenditures	\$119,240,766
Increase(Decrease) in Co. Subsidy	<u>\$0</u>

COUNTY ADMINISTRATOR

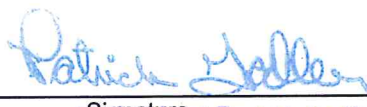
By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

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



Signature

Title

06/30/16

Date

Appropriation  
Adj. Journal NO.


AP00 5090

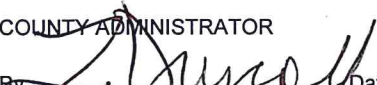


CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

Attachment A

ACCOUNT CODING		BUDGET UNIT 0861:ENTERPRISE FUND 146100 (HMO ENTERPRISE-COMMUNITY PLAN)		Page 1 of 1
ORG'N.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
6271	8220	GRANTS & DONATION	630,911 00	
6271	8330	OTHER EXTERNAL PLAN REV	13,575,369 00	
			\$14,206,280 00	\$ - 00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 8/10/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

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

EXPLANATION OF REQUEST

FY 2015/16 appropriation adjustment for Fund 146100:


Expenditure Increase (Decrease)	\$12,647,394
Revenue Increase (Decrease)	\$12,647,394 *
County Subsidy Increase (Decrease)	\$0
Additional Revenue Adj. Needed to Correct Imbalance Between Current Budgeted Expenditures and Budgeted Revenue	\$1,558,886 *

Note:

\* Revenue Adjustments = \$12,647,394 + 1,558,866 = \$14,206,280

Explanation:

To adjust appropriations and revenues to reflect changes to estimated FY 15/16 CCHP Community Plan premiums and expenditures


	06/30/16
Signature	Date
Revenue Adj.	AP00 5090

2016 JUL 15 PM 3:55

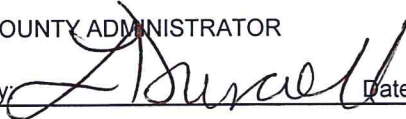
## Attachment A

Approved

AUDITOR - CONTROLLER

By:  Date: 8/16/16

COUNTY ADMINISTRATOR

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

BOARD OF SUPERVISORS

YES:

NO:

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

To adjust FY 2015/16 EF-II appropriations to current estimates.

Increase(Decrease) in Revenues	\$119,240,766
Increase(Decrease) in Expenditures	\$119,240,766
Increase(Decrease) in Co. Subsidy	\$0

Signature

06/30/16

Date \_\_\_\_\_

Revenue Adj.  
Journal NO.

AP00

5090

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

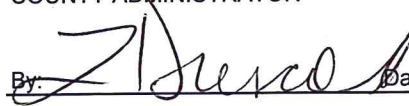
Attachment A

ACCOUNT CODING		BUDGET UNIT: <b>ENTERPRISE FUND 1 - CAPITAL (145000-0853)</b>	Page 1 of 1	
ORG'N.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
6971	8239	Misc. Hospital Revenue		4,922,068 00
6977	8239	Misc. Hospital Revenue		7,047,401 00
6979	8239	Misc. Hospital Revenue		3,144,036 00
6992	8226	SB 1732 MCALCRRP Reimb		549,502 00
6992	8239	Misc. Hospital Revenue		5,130,897 00
6971	8381	Hospital Subsidy	726,711 00	
6977	8381	Hospital Subsidy	5,432,412 00	
6979	8381	Hospital Subsidy	4,065,439 00	
6992	8381	Hospital Subsidy	5,680,399 00	
			<b>\$15,904,961 00</b>	<b>\$20,793,904 00</b>

Approved  
AUDITOR - CONTROLLER

By:  Date: 6/16/16

COUNTY ADMINISTRATOR

By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

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

EXPLANATION OF REQUEST

To Adjust FY 15/16 Revenue Appropriations To Current Estimates.

Revenue Increase(Decrease)	(\$20,793,904.00)
Expense Increase(Decrease)	(4,888,943.00)
Subsidy Increase (Decrease)	<u>\$15,904,961.00</u>



Signature  
Patrick Godfrey

COO/CFO  
Title

07/06/16  
Date

Revenue Adj.  
Journal NO.

RA00 5090




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: Health Services Department EF1 145000-0540	Page 1 of 1	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
6200	1011	PERMANENT SALARIES		1,742,261 .00
6200	1013	TEMPORARY SALARIES	1,238,090 .00	
6200	1014	PERMANENT OVERTIME		743,059 .00
6200	1017	PERMANENT PHYSICIANS SALARIES		5,771,468 .00
6200	1042	F.I.C.A.	5,164,932 .00	
6200	1063	UNEMPLOYMENT INSURANCE	2,073,374 .00	
6200	2802	REGISTRY		2,733,356 .00
6200	2822	SPECIALIZED SVCS NON-MED		1,357,478 .00
6200	2826	MED FEES-PHYSICN-CLIN SVC		2,953,327 .00
6200	2838	PHARMACEUTICALS		1,960,838 .00
6200	2841	OTHER MED CARE MTL & SUPP		2,015,243 .00
6200	2849	OTHR MINOR EQUIPMENT		1,006,653 .00
6200	2861	MEDICAL-PURCHASED SERVICE	10,204,135 .00	
6200	2866	OTHER PURCHASED SERVICES		952,085 .00
6200	2869	REQUESTED MAINT-GEN SVCS		2,318,257 .00
6200	2876	RENTAL/LSE COSTS-EQUIPMNT		334,775 .00
6200	2884	INTEREST EXPENSE		473,924 .00
6200	2885	TELEPHONE/TELEGRAPH		812,603 .00
6200	2886	DUES AND SUBSCRIPTIONS		2,114,309 .00
			18,680,531 .00	27,289,636 .00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 8/18/16


COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS  
YES:  
  
NO:  
  
By: \_\_\_\_\_ Date: \_\_\_\_\_

## EXPLANATION OF REQUEST

To adjust FY 15/16 expenditures appropriations to current estimates.

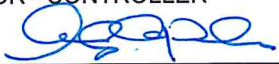
Increase (Decrease) in Revenues	28,114,787
Increase (Decrease) in Expenditures	8,609,105
Increase (Decrease) in Co. Contrib.	<u>(\$19,505,682)</u>

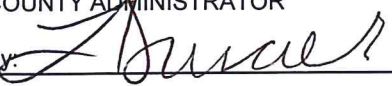
 COO/CFO  
Signature Title  
PATRICK GODLEY  
Date 07/07/16  
AP00 5090  
Appropriation Adj. Journal NO.

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

Attachment A

ACCOUNT CODING		BUDGET UNIT: Health Services-Enterprise Fund I (145000-0540)	Page 1 of 1	
ORG'N.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
6200	8111	Medicare RHS/IP	247,209 00	
6200	8121	Medi-Cal Patient Svcs	5,884,264 00	
6200	8131	Hlth Plan RHS/IP	30,880,662 00	
6200	8141	Private Pay Patient Svcs	889,825 00	
6200	8161	Interdept RHS/IP	1,431,372 00	
6200	8220	Grants & Donations		3,530,557 00
6200	8230	Oth External Hosp Revenue	70,000 00	
6200	8231	Occupancy & Rental Charges		
6200	8232	Med Rec Charges		19,525 00
6200	8233	Education & Training	3,537 00	
6200	8234	Cafeteria Receipts		127,639 00
6200	8236	Telephone Receipts		
6200	8239	Misc Hospital Revenue		4,985,891 00
6200	8243	Gain on Disposal of Fixed Assets		
6200	8276	Chg to A/DA/Mental Health	3,120,081 00	
6200	8277	Chrgs to Envirnmntl Hlth		
6200	8283	Other ID Charges		35,579 00
6200	8313	Realignment VLF Revenue		4,575,768 00
6200	8317	CC Health Plan Premiums		
6200	8336	Interest Earnings	304,210 00	
6200	8337	Realignment ST Revenue		1,441,414 00
6200	8850	Rental and Leases		
6200	8861	Bond Interest		
6200	8381	Hospital Subsidy		19,505,682 00
			42,831,160 00	34,222,055 00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 8/16/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS  
YES:  
NO:  
By: \_\_\_\_\_ Date: \_\_\_\_\_

EXPLANATION OF REQUEST

To adjust estimated revenues for fiscal year 2015/16  
in both hospital units and the outpatient clinic services

Increase (Decrease) in Revenues	\$28,114,787
Increase (Decrease) in Expenditures	8,609,105
Increase (Decrease) in Co. Contrib.	<u>(\$19,505,682)</u>

2016 JUL 15 PM 3:52



Signature  
PATRICK GODLEY  
47

COO/CFO  
Title

07/07/16  
Date

Revenue Adj.  
Journal NO.

RA00 5090



CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT  
T/C 27


AUDITOR CONTROLLER USE ONLY

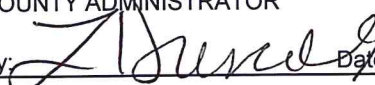
Attachment A

Final Approval Needed By:

- ☒ Board Of Supervisors  
☐ County Administrator

ACCOUNT CODING		BUDGET UNIT: <b>ENTERPRISE FUND 1 - CAPITAL (145000-0853)</b>	Page 1 of 1	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
6971	4504	555-2500 ALH-CNVRT ED RMS	3,700,000 00	
6971	4509	564-REMODEL SUITE#350 HSD		135,000 00
6971	4550	FAB/INST MODULAR CLINIC		23,744 00
6971	4564	555 REPLACE BOILER		935 00
6971	4609	HOSP AMBUL CARE CLINIC (Misc)	570,000 00	
6971	4647	SB1953 SEISMIC RETROFIT	85,036 00	
6977	4954	Medical & Lab Equipment	1,614,989 00	
6979	4951	Office Furniture & Equipment		921,403 00
			<b>\$5,970,025 00</b>	<b>\$1,081,082 00</b>

Approved  
AUDITOR - CONTROLLER  
By:  Date: 6/10/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS

YES:


NO:

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

EXPLANATION OF REQUEST

To Adjust FY 15/16 Expenditure Appropriations To Current Estimates.

Revenue Increase(Decrease)	(\$20,793,904.00)
Expense Increase(Decrease)	(\$4,888,943.00)
Subsidy Increase (Decrease)	<u>\$15,904,961.00</u>

5012 70175 BW 3:53  
AUDITOR - CONTROLLER  


Signature  
Patrick Godley

COO/CFO  
Title

Appropriation

07/06/16  
Date

AP00 5090

**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: <b>HEALTH SERVICES DEPARTMENT - 0465</b>	page 1 of 1	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
		<u>Subsidy 100300-0465</u>		
0465	3570	Contribution to Enterprise Fund - MH 0467	2,200,000 .00	
0465	3570	Contribution to Enterprise Fund - Cons 0451		182,041 .00
0465	3570	Contribution to Enterprise Fund - Detn 0301		582,679 .00
0465	3570	Contribution to Enterprise Fund - PH 0450	3,726,646 .00	
0465	3570	Contribution to Enterprise Fund - CCS 0460		1,700,025 .00
0465	3570	Contribution to Enterprise Fund - Homeless 0463	138,820 .00	
			<b>6,065,466 .00</b>	<b>2,464,745 .00</b>

Approved

AUDITOR - CONTROLLER

By:  Date: 6/16/16

COUNTY ADMINISTRATOR

By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

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

**EXPLANATION OF REQUEST**

To adjust Fiscal year-end 6/30/16 appropriation based on the most current estimates

EF1 Subsidy Adj (decrease)	\$	(19,505,682)
EF1 Capital adj (increase)		15,904,961

Enterprise Subsidy to/fr GF	<u>\$</u>	<u>(3,600,721)</u>
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Signature

Title

07/07/16

Date

Appropriation  
Adj. Journal NO.

AP00 5090

## SCHEDULE A

Attachment B

CONTRA COSTA COUNTY  
DETAIL OF PROVISIONS FOR OBLIGATED FUND BALANCES  
FOR FISCAL YEAR 2016-2017 FINAL BUDGETS

FUND	OBLIGATED FUND BALANCE AS OF 6/30/2016	CANCELLATIONS		INCREASES		TOTAL OBLIGATED FUND BALANCE FOR BUDGET YEAR
		RECOMMEND	ADOPT	RECOMMEND	ADOPT	
1003 NONSPENDABLE -INVENTORIES	1,666,895					1,666,895
1003 ASSIGNED -EQUIPMENT REPLACEMENT	4,114,389					4,114,389
1003 NONSPENDABLE -DEPARTMENTAL PETTY CASH	306,195					306,195
1003 NONSPENDABLE -PREPAID EXPENSE	7,830,799					7,830,799
1003 ASSIGNED -LITIGATION & AUDIT EXCEPTIONS	5,000,000			5,000,000	5,000,000	10,000,000
1003 RESTRICTED - EBRCS INVESTMENTS	2,232,757					2,232,757
1003 ASSIGNED -GENERAL FUND CAPITAL RESERVE	45,294,060			14,097,327	14,097,327	59,391,387
1003 ASSIGNED -GENERAL FUND RESERVE	148,038,677			41,900,208	41,900,208	189,938,885
<hr/>						
SUBTOTAL GENERAL FUND	214,483,772	0	0	60,997,535	60,997,535	275,481,307
<hr/>						
1041 ASSIGNED - CO SERVICE AREA REV RESERVE	100,000					100,000
1104 ASSIGNED -EQUIP REPL (CRIMINALISTICS LAB)	14,299					14,299
1108 NONSPENDABLE -PREPAID EXP (ROAD)	3,586					3,586
1108 ASSIGNED -EQUIPMENT REPLACEMENT (ROAD)	5,885,841					5,885,841
1111 ASSIGNED - PRIVATE ACTIVITY BOND	3,845,891	355,369	355,369			3,490,522
1111 NONSPENDABLE -ADVANCE (PRIVATE ACTIVITY BOND)	263,700					263,700
1113 ASSIGNED -AFFORDABLE HOUSING	9,097,393			430,632	430,632	9,528,025
1115 ASSIGNED -TOSCO/SOLANO TRANS MITIGATION	5,273,433	21,409	21,409			5,252,024
1116 NONSPENDABLE- PREPAID EXP (CHILD DEVLPMNT)	290,880					290,880
1120 ASSIGNED -DEPT CONSERVATION & DEVLPMNT	11,470,386			5,541,313	5,541,313	17,011,699
1120 NONSPENDABLE -PREPAID EXP (DCD)	464,736					464,736
1120 ASSIGNED -EQUIP REPL (DCD)	472,349					472,349
1126 ASSIGNED -DISPUTE RESOLUTION PROG	84,027					84,027
1127 NONSPENDABLE -PREPAID EXP (ZERO TOLERANCE)	2,539					2,539
1129 NONSPENDABLE -PREPAID EXP (DA REV NARCOTICS)	19,324					19,324
1131 NONSPENDABLE -PETTY CASH (DA FORFEITURE-FED)	3,500					3,500
1134 ASSIGNED -EQUIP REPLACEMENT (DCSS)	66,033					66,033
1134 NONSPENDABLE -PREPAID EXPENSE (DCSS)	365,288					365,288
1146 ASSIGNED -PROP 63	48,378,276	2,421,841	2,421,841			45,956,435
1150 ASSIGNED -AUTOMATED SYSTEMS DEVELOPMENT	3,637,682	176,433	176,433			3,461,249
1153 ASSIGNED -CTY LOCAL REV FUND 2011	36,401,489			25,517,984	25,517,984	61,919,473
1155 NONSPENDABLE -PREPAID EXP (IHSS PUBLIC AUTH)	2,253					2,253
1157 ASSIGNED - COMM CORR PRFMC INCNTV RSRV	7,275,737	1		1,826,683	1,826,683	9,102,420

**CONTRA COSTA COUNTY**  
**DETAIL OF PROVISIONS FOR OBLIGATED FUND BALANCES**  
**FOR FISCAL YEAR 2016-2017 FINAL BUDGETS**

		OBLIGATED					TOTAL
		FUND BALANCE					OBLIGATED
		AS OF	CANCELLATIONS		INCREASES		FUND BALANCE
FUND		6/30/2016	RECOMMEND	ADOPT	RECOMMEND	ADOPT	FOR BUDGET YEAR
1159	RESTRICTED - L/M HSG ASSET FD-LMIHAF	16,815,706			272,618	272,618	17,088,324
1206	ASSIGNED -LIBRARY AUTOMATION	3,365,004			250,000	250,000	3,615,004
1206	ASSIGNED -LIBRARY FACILITIES	2,703,003			450,000	450,000	3,153,003
1206	ASSIGNED -LIBRARY BRANCH OPERATIONS	5,605,934			645,821	645,821	6,251,755
1206	ASSIGNED -EQUIPMENT REPLACEMENT (LIBRARY)	134,921					134,921
1206	NONSPENDABLE -PETTY CASH (LIBRARY)	2,710					2,710
1206	NONSPENDABLE -PREPAID EXP (LIBRARY)	195,093					195,093
1231	ASSIGNED -HERCUL/RODEO/CROCK AREA OF BENEFIT	42,900	42,900	42,900			0
1232	ASSIGNED -WEST COUNTY AREA OF BENEFIT	75,691	14,300	14,300			61,391
1234	ASSIGNED -NORTH RICHMOND AOB	1,153,378	35,645	35,645			1,117,733
1240	ASSIGNED -MARTINEZ AREA OF BENEFIT	2,519,678	546,959	546,959			1,972,719
1241	ASSIGNED -BRIONES AREA OF BENEFIT	510,990	17,354	17,354			493,636
1242	ASSIGNED -CENTRAL COUNTY AREA OF BENEFIT	2,774,283			1,486	1,486	2,775,769
1243	ASSIGNED -SO WC AREA OF BENEFIT	163,845			110,351	110,351	274,196
1260	ASSIGNED -ALAMO AREA OF BENEFIT	0			417,797	417,797	417,797
1270	ASSIGNED -SOUTH COUNTY AREA OF BENEFIT	3,032,190	29,043	29,043			3,003,147
1282	ASSIGNED -EAST COUNTY AREA OF BENEFIT	3,594,719			2,025	2,025	3,596,744
1290	ASSIGNED -BETHEL ISLAND AREA OF BENEFIT	344,112	7,326	7,326			336,786
1337	ASSIGNED -LIVABLE COMMUNITIES	5,488,016			1,760,527	1,760,527	7,248,543
1390	ASSIGNED -ROAD DEVLPMNT DISCOVERY BAY	1,641,659			504,463	504,463	2,146,122
1392	ASSIGNED -ROAD IMPROVEMENT FEE	18,273,487			2,476,467	2,476,467	20,749,954
1394	ASSIGNED -ROAD DEVLPMNT RICH/EL SOBRANTE	345,657	97,605	97,605			248,052
1395	ASSIGNED -ROAD DEVLPMNT BAY POINT AREA	753,689	58,165	58,165			695,524
1399	ASSIGNED -ROAD DEVLPMNT PACHECO AREA	386,061			50,180	50,180	436,241
TOTAL GENERAL COUNTY FUNDS		417,825,140	3,824,349	3,824,349	101,255,882	101,255,882	515,256,674



## SCHEDULE B

Attachment B

CONTRA COSTA COUNTY  
FUND BALANCE AVAILABLE

FUND	FUND BALANCE PER AUDITOR AS OF 6/30/2016	LESS: OBLIGATED FUND BALANCES		ASSIGNED	FUND BALANCE AVAILABLE
		ENCUMBRANCES	NONSPENDABLE, RESTRICTED & COMMITTED		
1003 GENERAL	369,773,768	51,203,563	12,036,646	263,444,661	43,088,898
1041 COUNTY SERVICE AREA ADVANCES	100,000			100,000	0
1056 LAW ENFORCEMENT - EQUIP REPLACE	2,331,599				2,331,599
1100 RECORDER MODERNIZATION	8,865,958	16,503			8,849,455
1101 COURT/CLERK AUTOMATION	78				78
1102 FISH & GAME	334,602				334,602
1104 CRIMINALISTICS LABORATORY	143,641			14,299	129,342
1105 SURVEY MONUMENT PRESERVATION	633,090				633,090
1106 CRIMINAL JUSTICE CONSTRUCTION	0				0
1107 COURTHOUSE CONSTRUCTION	0				0
1108 ROAD	5,180,574	124,876	3,586	5,885,841	(833,730)
1109 TRANSPORTATION IMPROVEMENT	3,365				3,365
1110 SAN CRAINTE DRAINAGE	259,841				259,841
1111 PRIVATE ACTIVITY BOND	3,754,222		263,700	3,490,522	0
1113 AFFORDABLE HOUSING	9,528,025			9,528,025	0
1114 NAVY TRANSPORTATION MITIGATION	5,555,264				5,555,264
1115 TOSCO/SOLANO TRANSPORTATION MITIGATION	5,279,024			5,252,024	27,000
1116 CHILD DEVELOPMENT	592,617	8,173	290,880		293,565
1118 HUD NSP	174,042				174,042
1120 CONSERVATION AND DEVELOPMENT	18,206,327	257,543	464,736	17,484,048	0
1121 CDD/PWD JOINT REVIEW FEE	654,671				654,671
1122 DRAINAGE DEFICIENCY	2,269,016				2,269,016
1123 PUBLIC WORKS TRUST	2,218,596				2,218,596
1124 D.A. CONSUMER PROTECTION	4,378,365	3,840			4,374,525
1125 DOM. VIOLENCE VICTIM ASSIST.	25,953				25,953
1126 DISPUTE RESOLUTION PROG.	281,262			84,027	197,235
1127 ZERO TOLERANCE-DOM VIOLENCE	347,013		2,539		344,474
1129 D.A. REVENUE NARCOTICS	403,711		19,324		384,387
1130 D.A. ENVIRON/OSHA	2,182,023	3,840			2,178,183
1131 D.A. FORFEITURE-FED-DOJ	217,036	6,898	3,500		206,638
1132 WALDEN GREEN MAINTENANCE	339,063				339,063
1133 R/ESTATE FRAUD PROSECUTE	530,634				530,634
1134 CHILD SUPPORT SERVICES	438,302		365,288	66,033	6,981

## SCHEDULE B

## Attachment B

CONTRA COSTA COUNTY  
FUND BALANCE AVAILABLE

<u>FUND</u>	<u>FUND BALANCE PER AUDITOR AS OF 6/30/2016</u>	<u>ENCUMBRANCES</u>	<u>LESS: OBLIGATED FUND BALANCES NONSPENDABLE, RESTRICTED &amp; COMMITTED</u>	<u>ASSIGNED</u>	<u>FUND BALANCE AVAILABLE</u>
1135 EMERGENCY MED SVCS FUND	422,846				422,846
1137 HLT SVC - CHIP/AB75 TOBACCO	50				50
1139 TRAFFIC SAFETY	345,817				345,817
1140 PUB PROTECT-SPEC REV FND	2,426,648				2,426,648
1141 SHERIFF NARCOTICS FORFEIT-ST/LOCAL	182,032				182,032
1142 SHERIFF NARCOTICS FORFEIT-FEDERAL	496,406				496,406
1143 SUP LAW ENFORCEMENT SVCS	721,592				721,592
1145 SHERIFF FORFEIT-FEDERAL DEPT OF TREASURY	222,660				222,660
1146 PROP 63 MH SVCS ACT	45,956,435			45,956,435	0
1147 PRISONERS WELFARE FUND	1,653,391				1,653,391
1149 PROBATION OFFICERS SPEC	219,610				219,610
1150 AUTOMATED SYSTEMS DEVELOPMENT	3,646,249			3,461,249	185,000
1151 PROPERTY TAX ADMIN PROGRAM	2,945,012				2,945,012
1153 CTY LOCAL REV FUND 2011	55,095,885			61,919,473	(6,823,588)
1154 OBSCENE MATTER-MINORS	180				180
1155 IHSS PUBLIC AUTHORITY	99,884		2,253		97,631
1156 DNA IDENTIFICATION	268,931				268,931
1157 COMM CORR PRFMC INCNTV FD	8,983,141			9,102,420	(119,279)
1158 NO RICH WST&RCVY MTGN FD	297,871				297,871
1159 L/M HSG ASSET FD-LMIHAF	17,088,324		17,088,324		0
1160 BAILEY RD MNTC SURCHARGE	1,820,828				1,820,828
1161 HOME INVSTMT PRTNRSHP ACT	115				115
1206 LIBRARY	20,373,035	843,365	197,803	13,154,683	6,177,184
1207 CASEY LIBRARY GIFT TRUST	253,798				253,798
1231 HERCUL/RODEO/CROCK AREA OF BENEFIT	45,000			0	45,000
1232 WEST COUNTY AREA OF BENEFIT	76,391			61,391	15,000
1234 NORTH RICHMOND AREA OF BENEFIT	1,152,233			1,117,733	34,500
1240 MARTINEZ AREA OF BENEFIT	2,503,219			1,972,719	530,500
1241 BRIONES AREA OF BENEFIT	511,336			493,636	17,700
1242 CENTRAL COUNTY AREA OF BENEFIT	2,775,769			2,775,769	0
1243 SOUTH WALNUT CREEK AREA OF BENEFIT	274,196			274,196	0
1260 ALAMO AREA OF BENEFIT	417,797			417,797	0
1270 SOUTH COUNTY AREA OF BENEFIT	3,303,647			3,003,147	300,500
1282 EAST COUNTY AREA OF BENEFIT	3,596,744			3,596,744	0

## SCHEDULE B

## Attachment B

CONTRA COSTA COUNTY  
FUND BALANCE AVAILABLE

<u>FUND</u>	FUND BALANCE PER AUDITOR	<u>LESS: OBLIGATED FUND BALANCES</u>			FUND BALANCE
	AS OF <u>6/30/2016</u>	<u>ENCUMBRANCES</u>	<u>NONSPENDABLE, RESTRICTED &amp; COMMITTED</u>	<u>ASSIGNED</u>	<u>AVAILABLE</u>
1290 BETHEL ISLAND AREA OF BENEFIT	345,286			336,786	8,500
1328 COUNTY CHILDRENS	218,673				218,673
1332 ANIMAL BENEFIT	904,427				904,427
1334 CO-WIDE GANG & DRUG	1,208,268				1,208,268
1337 LIVABLE COMMUNITIES FUND	7,248,543			7,248,543	0
1349 HUD BLDG INSP NPP	123,476				123,476
1350 RETIREMENT UAAL BOND FUND	3,084,123				3,084,123
1354 FAMILY LAW CTR DEBT SVC	2,129,142				2,129,142
1360 CENTRAL IDENTIFY BUREAU	2,700,630				2,700,630
1388 SOUTHERN PACIFIC RIGHT OF WAY	3,680,783				3,680,783
1390 ROAD DEVELOPMENT DISCOVERY BAY	2,146,122			2,146,122	0
1392 ROAD IMPROVEMENT FEE	22,800,954			20,749,954	2,051,000
1394 ROAD DEVELOPMENT RICHMOND/EL SOBRANTE	338,052			248,052	90,000
1395 ROAD DEVELOPMENT BAY POINT AREA	756,924			695,524	61,400
1399 ROAD DEVELOPMENT PACHECO AREA	444,641			436,241	8,400
TOTAL GENERAL COUNTY FUNDS	671,308,798	52,468,600	30,738,579	484,518,094	103,583,524

**SCHEDULE C**

Attachment B

**RECOMMENDED VS. FINAL BUDGET**

**FUND BALANCE CHANGES**

**APPROPRIATIONS AND ESTIMATED REVENUE RECOMMENDATIONS**

**FOR 2016-17 FINAL BUDGET**

<u>FUND</u>	2016-2017 RECOMMENDED BUDGET FUND <u>BALANCE</u>	2016-2017 FINAL BUDGET FUND <u>BALANCE</u>	FINAL YEAR-END FUND <u>BALANCE</u>	<u>CHANGE</u>	RECOMMENDED LINE ITEM <u>CHANGES</u>	
					<u>AMOUNT</u>	<u>B/U ACCT</u>
1003 GENERAL FUND	(2,500,001)	(2,500,001)	43,088,898	45,588,899	7,984	0001-2479
					222,490	0001-3580
					230,000	0003-2310
					5,438,483	0003-2479
					1,000,000	0003-2313
					180,000	0004-2479
					1,879,452	0007-2479
					50,000	0010-2479
					22,000	0015-2131
					20,000	0015-2132
					10,000	0015-2284
					25,000	0015-2310
					50,000	0025-2132
					220,000	0025-2310
					1,544,444	0025-2479
					600,000	0030-2479
					110,108	0038-2479
					1,203,298	0043-2479
					100,000	0043-2132
					861,797	0043-4951
					268,500	0080-2284
					1,182,862	0085-4470
					48,558	0111-4265
					400,568	0111-4106
					990,000	0111-4437
					30,000	0111-4184
					25,697	0111-4418
					1,644,780	0111-4470
					100,000	0135-3580
					149,828	0135-3611
					2,858,552	0145-2310
					12,873,526	0145-2479
					116,870	0202-3580
					6,700,000	0235-2310

## SCHEDULE C

Attachment B

RECOMMENDED VS. FINAL BUDGET  
FUND BALANCE CHANGES  
APPROPRIATIONS AND ESTIMATED REVENUE RECOMMENDATIONS  
FOR 2016-17 FINAL BUDGET

FUND	2016-2017	2016-2017			RECOMMENDED	
	RECOMMENDED	FINAL	FINAL		LINE ITEM	
	BUDGET	BUDGET	YEAR-END		CHANGES	
	FUND	FUND	FUND			
	<u>BALANCE</u>	<u>BALANCE</u>	<u>BALANCE</u>	<u>CHANGE</u>	<u>AMOUNT</u>	<u>B/U ACCT</u>
					400,000	0248-2313
					260,000	0255-2479
					961,849	0265-2479
					159,529	0308-2310
					42,000	0335-2281
					156,315	0355-2479
					259,000	0362-2479
					806,828	0452-2479
					123,910	0501-2132
					50,000	0579-2479
					594,683	0580-2479
					253,807	0590-2479
					100,000	0591-2310
					256,181	0650-2479
1056 CO LAW ENF CMPTR CAP PROJ	1,320,356	1,320,356	2,331,599	1,011,243	4,347	0126-5011
					897,275	0129-5011
					109,621	0131-5011
1100 RECORDER MODERNIZATION	7,376,516	7,376,516	8,849,455	1,472,939	1,472,939	0353-2479
1101 COURT/CLERK AUTOMATION		0	78	78	78	0236-2479
1102 FISH & GAME	0	0	334,602	334,602	334,602	0367-2479
1104 CRIMINALISTICS LABORATORY	116,741	116,741	129,342	12,601	12,601	0256-2479
1105 SURVEY MONUMENT PRESERVATION	557,985	557,985	633,090	75,105	75,105	0161-2479
1106 CRIMINAL JUSTICE CONSTRUCTION	(614,100)	(614,100)	0	614,100	614,100	0119-5016
1107 COURTHOUSE CONSTRUCTION	(753,800)	(753,800)	0	753,800	753,800	0122-3619
1108 ROAD	0	0	(833,730)	(833,730)	(833,730)	0662-2479
1109 TRANSPORTATION IMPROVEMENT	0	0	3,365	3,365	3,365	0663-3611
1110 SANS CRAINTE DRAINAGE		0	259,841	259,841	259,841	0120-5011
1114 NAVY TRANS MITIGATION	5,569,819	5,569,819	5,555,264	(14,555)	(14,555)	0697-5011
1115 TOSCO/SOLANO TRANS MTGTN		0	27,000	27,000	27,000	0699-5011
1116 CHILD DEVELOPMENT		0	293,565	293,565	293,565	0589-3611
1118 HUD NSP		0	174,042	174,042	174,042	0380-5011
1121 CDD/PWD JOINT REVIEW FEE	656,285	656,285	654,671	(1,614)	(1,614)	0350-5011
1122 DRAINAGE DEFICIENCY		0	2,269,016	2,269,016	2,269,016	0648-2479

## SCHEDULE C

Attachment B

RECOMMENDED VS. FINAL BUDGET  
FUND BALANCE CHANGES  
APPROPRIATIONS AND ESTIMATED REVENUE RECOMMENDATIONS  
FOR 2016-17 FINAL BUDGET

FUND	2016-2017	2016-2017	FINAL	CHANGE	RECOMMENDED	
	RECOMMENDED	FINAL	YEAR-END		LINE ITEM	
	BUDGET	BUDGET	FUND		CHANGES	
	FUND	FUND	FUND		AMOUNT	B/U ACCT
	BALANCE	BALANCE	BALANCE			
1123 PUBLIC WORKS TRUST	1,764,826	1,764,826	2,218,596	453,770	453,770	0649-5011
1124 DA CONSUMER PROTECTION	4,474,404	4,474,404	4,374,525	(99,879)	(99,879)	0247-2479
1125 DOM. VIOLENCE VICTIM ASSIST		0	25,953	25,953	25,953	0585-2479
1126 DISPUTE RESOLUTION PROGRAM		0	197,235	197,235	197,235	0246-2479
1127 ZERO TOLERANCE-DOM VIOLENCE		0	344,474	344,474	344,474	0586-2479
1129 D.A. REVENUE NARCOTICS	248,433	248,433	384,387	135,954	135,954	0244-3626
1130 D.A. ENVIRON/OSHA	2,349,712	2,349,712	2,178,183	(171,529)	(171,529)	0251-2479
1131 D.A. FORFEITURE-FED-DOJ	226,792	226,792	206,638	(20,154)	(20,154)	0234-2479
1132 PH BART GREENSPACE MTCE		0	339,063	339,063	339,063	0664-5011
1133 RE FRAUD PROSECUTE	150,000	150,000	530,634	380,634	380,634	0233-5011
1134 CCC DEPT CHILD SUPPORT SVCS		0	6,981	6,981	6,981	0249-1011
1135 EMERGENCY MED SVCS FUND		0	422,846	422,846	422,846	0471-3611
1137 HLTH SVC-CHIP/AB75 TOBACCO		0	50	50	50	0468-2310
1139 TRAFFIC SAFETY	370,291	370,291	345,817	(24,474)	(24,474)	0368-2479
1140 PUBLIC PROTECTION-SPEC, REV	2,437,024	2,437,024	2,426,648	(10,376)	(10,376)	0260-2479
1141 SHER NARC FORFEIT-ST/LOCAL	164,102	164,102	182,032	17,930	17,930	0253-5011
1142 SHER NARC FORFEIT-FEDERAL	476,836	476,836	496,406	19,570	19,570	0252-5011
1143 SUP LAW ENFORCEMENT SVCS		0	721,592	721,592	(2,337)	0241-5011
					(30,041)	0262-5011
					1,695	0263-5011
					752,275	0311-5011
1145 SHERIFF FORFEIT-FED TREASURY	194,262	194,262	222,660	28,398	28,398	0268-5011
1147 PRISONERS WELFARE FUND	257,205	257,205	1,653,391	1,396,186	1,396,186	0273-2479
1149 PROBATION OFFICERS SPEC	199,308	199,308	219,610	20,302	20,302	0313-2479
1150 AUTOMATED SYSTEMS DEVELOPMENT	185,000	185,000	185,000	(0)		
1151 PROPERTY TAX ADMIN PROGRAM	2,926,780	2,926,780	2,945,012	18,232	18,232	0017-5016
1153 CTY LOCAL REV FUND 2011	(6,823,588)	(6,823,588)	(6,823,588)	0		
1154 OBSCENE MATTER-MINORS		0	180	180	180	0254-5011
1155 IHSS PUBLIC AUTHORITY		0	97,631	97,631	97,631	0508-5011
1156 DNA IDENTIFICATION FUND		0	268,931	268,931	268,931	0275-5011
1157 COMM CORR PRFMC INCNTV FD	(119,279)	(119,279)	(119,279)	(0)		
1158 NO RICH WST&RCVY MTGN FD		0	297,871	297,871	297,871	0478-5011
1160 BAILEY RD MNTC SURCHARGE	1,191,964	1,191,964	1,820,828	628,864	628,864	0660-3611
1161 HOME INVSTMT PRTRNSHP ACT		8 0	115	115	115	0561-2479



SCHEDULE C

Attachment B

RECOMMENDED VS. FINAL BUDGET  
FUND BALANCE CHANGES  
APPROPRIATIONS AND ESTIMATED REVENUE RECOMMENDATIONS  
FOR 2016-17 FINAL BUDGET

FUND	2016-2017 RECOMMENDED BUDGET FUND <u>BALANCE</u>	2016-2017 FINAL BUDGET FUND <u>BALANCE</u>	FINAL YEAR-END FUND <u>BALANCE</u>	<u>CHANGE</u>	RECOMMENDED LINE ITEM <u>CHANGES</u>	
					<u>AMOUNT</u>	<u>B/U ACCT</u>
1206 LIBRARY		0	6,177,184	6,177,184	200,000	0620-1011
					2,879,539	0620-2479
					638,000	0620-3620
					350,000	0620-4951
					918,307	0621-1011
					768,098	0621-2479
					321,000	0621-3620
					102,240	0621-4951
1207 CASEY LIBRARY GIFT TRUST		0	253,798	253,798	253,798	0622-3611
1231 HERCUL/RODEO/CROCK AREA OF BEN	17,100	17,100	45,000	27,900	27,900	0631-5011
1232 WEST COUNTY AREA OF BENEFIT	15,000	15,000	15,000	0		
1234 NORTH RICHMOND AREA OF BENEFIT	34,500	34,500	34,500	0		
1240 MARTINEZ AREA OF BENEFIT	530,500	530,500	530,500	0		
1241 BRIONES AREA OF BENEFIT	17,700	17,700	17,700	0		
1260 ALAMO AREA OF BENEFIT	(99,800)	(99,800)	0	99,800	99,800	0641-5011
1270 SOUTH CO AREA OF BENEFIT	300,500	300,500	300,500	0		
1282 EAST COUNTY AREA OF BENEFIT	(369,000)	(369,000)	0	369,000	369,000	0645-5011
1290 BETHEL ISL AREA OF BENEFIT	8,500	8,500	8,500	0	0	0653-5011
1328 COUNTY CHILDRENS		0	218,673	218,673	218,673	0505-3611
1332 ANIMAL BENEFIT		0	904,427	904,427	904,427	0369-5011
1334 CO-WIDE GANG & DRUG	1,246,271	1,246,271	1,208,268	(38,003)	(38,003)	0271-2479
1349 HUD BLDG INSP NPP		0	123,476	123,476	123,476	0597-3611
1350 RETIREMENT UAAL BOND FUND		0	3,084,123	3,084,123	3,084,123	0791-3510
1354 FAMILY LAW CTR DEBT SVC		0	2,129,142	2,129,142	2,129,142	0794-2479
1360 CENTRAL IDENTIFY BUREAU	2,796,436	2,796,436	2,700,630	(95,806)	(95,806)	0270-5011
1388 SOUTHERN PACIFIC RIGHT OF WAY	3,891,968	3,891,968	3,680,783	(211,185)	(211,185)	0678-2479
1390 ROAD DEVELOPMENT DISCOVERY BAY	(200,200)	(200,200)	0	200,200	200,200	0680-5011
1392 ROAD IMPROVEMENT FEE	2,051,000	2,051,000	2,051,000	0		
1394 RD DEVELOPMENT RICH/EL SOBRANTE	90,000	90,000	90,000	0		
1395 RD DEVELOPMENT BAY POINT	61,400	61,400	61,400	0		
1399 ROAD DEVELOPMENT PACHECO AREA	8,400	8,400	8,400	0		
TOTAL GENERAL COUNTY FUNDS	32,804,148	32,804,148	103,583,524	70,779,376	70,779,376	

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

Attachment C

ACCOUNT CODING		BUDGET UNIT: Special Districts - various			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
7562	9140	BU 7562	59,500	00	
7517	9794	BU 7517	336,000	00	
7603	9066	BU 7603	2,400	00	
7608	9066	BU 7608	300	00	
7609	9066	BU 7609	1,200	00	
7623	9066	BU 7623	9,400	00	
7640	9066	BU 7640	100	00	
7655	9066	BU 7655	8,500	00	
7659	9066	BU 7659	400	00	
7673	9066	BU 7673	550	00	
7674	9066	BU 7674	2,000	00	
7684	9066	BU 7684	3,000	00	
7700	9066	BU 7700	32,100	00	
7719	9066	BU 7719	34,200	00	
7720	9066	BU 7720	250	00	
7723	9066	BU 7723	450	00	
7724	9066	BU 7724	2,000	00	
7726	9066	BU 7726	2,800	00	
7742	9066	BU 7742	23,000	00	
7473	9956	BU 7473	10,333	00	
TOTALS			528,483	00	0 00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY:  DATE 8/30/16

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

Special Districts FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

REVENUE ADJ.  
JOURNAL NO.

RAOO

5091

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

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24


ACCOUNT CODING		BUDGET UNIT: Special Districts - various			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
7040	9759	BU 7040	1,800,000	00	
7405	9069	BU 7040	1,279	00	
7473	9797	BU 7473	40	00	
7517	9595	BU 7517	130,000	00	
TOTALS			1,931,319	00	0 00

APPROVED

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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: Special Districts - various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
7031	4706	BU 7031	53,500	00	
7031	3611				50,000 00
7031	4704				500 00
7031	4705				1,500 00
7031	4706				1,500 00
7033	2479	BU 7033	100	00	
7033	3611				100 00
7034	2479	BU 7034	100	00	
7034	3611				100 00
7036	2479	BU 7036	100	00	
7036	3611				100 00
7300	1011	BU 7300	3,000,600	00	
7300	4707				500 00
7300	5011				3,000,100 00
7526	2479	BU 7526	100	00	
7526	3611				100 00
7527	2479	BU 7527	1,000	00	
7527	3611				1,000 00
7530	2479	BU 7530	500	00	
7530	3611				500 00
7531	2479	BU 7531	500	00	
7531	3611				500 00
7532	2479	BU 7532	100	00	
7532	3611				100 00
7536	2479	BU 7536	100	00	
TOTALS			3,056,700	00	3,056,600 00

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☒ BOARD OF SUPERVISORS☐ COUNTY ADMINISTRATOR

ACCOUNT CODING		BUDGET UNIT: Special Districts - various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
7536	3611				100	00
7537	2479	BU 7537	7,100	00		
7537	3611				100	00
7537	5011				7,000	00
7538	2479	BU 7538	1,850	00		
7538	3611				50	00
7538	5011				1,800	00
7539	2479	BU 7539	50	00		
7539	3611				50	00
7540	2479	BU 7540	50	00		
7540	3611				50	00
7542	2479	BU 7542	100	00		
7542	3611				100	00
7543	2479	BU 7543	1,800	00		
7543	3611				100	00
7543	5011				1,700	00
7546	2479	BU 7546	2,200	00		
7546	3611				200	00
7546	5011				2,000	00
7547	2479	BU 7547	100	00		
7547	3611				100	00
7548	2479	BU 7548	2,050	00		
7548	3611				50	00
7548	5011				2,000	00
7550	2479	BU 7550	100	00		
TOTALS			15,400	00	15,400	00

APPROVED

AUDITOR-CONTROLLER:

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ACCOUNT CODING		BUDGET UNIT: Special Districts - various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
7550	3611				100 00
7551	2479	BU 7551	100 00		
7551	3611				100 00
7552	2479	BU 7552	26,500 00		
7552	3611				3,000 00
7552	5011				23,500 00
7553	2479	BU 7553	100 00		
7553	3611				100 00
7554	2479	BU 7554	3,000 00		
7554	3611				3,000 00
7555	2479	BU 7555	4,150 00		
7555	3611				50 00
7555	5011				4,100 00
7556	2479	BU 7556	2,550 00		
7556	3611				50 00
7556	5011				2,500 00
7557	2479	BU 7557	3,000 00		
7557	5011				3,000 00
7558	2479	BU 7558	500 00		
7558	5011				500 00
7559	2479	BU 7559	4,600 00		
7559	3611				100 00
7559	5011				4,500 00
7560	2479	BU 7560	1,000 00		
7560	3611				1,000 00
TOTALS			45,500 00		45,600 00

APPROVED

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APPROPRIATION ADJUSTMENT

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AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:


☒ BOARD OF SUPERVISORS☐ COUNTY ADMINISTRATOR

ACCOUNT CODING		BUDGET UNIT: Special Districts - various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
7562	2479	BU 7562			26,500	00
7562	5011				33,000	00
7563	2479	BU 7563	2,000	00		
7563	3611				200	00
7563	5011				1,800	00
7565	2479	BU 7565	100	00		
7565	3611				100	00
7566	2479	BU 7566	3,000	00		
7566	3611				3,000	00
7567	2479	BU 7567	6,100	00		
7567	3611				100	00
7567	5011				6,000	00
7568	2479	BU 7568	100	00		
7568	3611				100	00
7569	2479	BU 7569	6,200	00		
7569	3611				100	00
7569	5011				6,100	00
7571	2479	BU 7571	500	00		
7571	3611				500	00
7572	2479	BU 7572	2,500	00		
7572	3611				500	00
7572	5011				2,000	00
7573	2479	BU 7573	600	00		
7573	3611				100	00
TOTALS			21,100	00	80,100	00

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ACCOUNT CODING		BUDGET UNIT: Special Districts - various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
7573	5011				500 00
7574	2479	BU 7574	100 00		
7574	3611				100 00
7575	2479	BU 7575	100 00		
7575	3611				100 00
7576	2479	BU 7576	1,000 00		
7576	3611				1,000 00
7577	2479	BU 7577	1,000 00		
7577	3611				1,000 00
7579	2479	BU 7579	460,000 00		
7579	3611				400,000 00
7579	5011				60,000 00
7580	2479	BU 7580	1,000 00		
7580	3611				1,000 00
7581	2479	BU 7581	500 00		
7581	3611				500 00
7583	2479	BU 7583	1,000 00		
7583	3611				1,000 00
7584	2479	BU 7584	100 00		
7584	3611				100 00
7585	2479	BU 7585	100 00		
7585	3611				100 00
7586	2479	BU 7586	200 00		
7586	3611				100 00
7586	5011				100 00
TOTALS			465,100 00		465,600 00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:  
BY: [Signature] DATE 8/30/16COUNTY ADMINISTRATOR:  
BY: [Signature] DATE \_\_\_\_\_BOARD OF SUPERVISORS:  
YES:

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Special Districts FY2015-16 Year End Clean Up

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APPROPRIATION APOO **5091**

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## AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:



BOARD OF SUPERVISORS



COUNTY ADMINISTRATOR

ACCOUNT CODING		BUDGET UNIT: Special Districts - various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
7587	2479	BU 7587	1,100	00		
7587	3611				100	00
7587	5011				1,000	00
7588	2479	BU 7588	100	00		
7588	3611				100	00
7597	2479	BU 7597	100	00		
7597	3611				100	00
7484	2479	BU 7484	10,100	00		
7484	3611				100	00
7484	5011				10,000	00
7502	2479	BU 7502	100	00		
7502	3611				100	00
7504	2479	BU 7504	500	00		
7504	3611				500	00
7514	2479	BU 7514	100	00		
7514	3611				100	00
7517	5011	BU 7517	90,000	00		
7517	2479				366,000	00
7517	3611				60,000	00
7603	3611	BU 7603	4,300	00		
7603	5011				6,700	00
7606	3611	BU 7606	50	00		
7606	5011				50	00
TOTALS			106,450	00	444,850	00

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ACCOUNT CODING		BUDGET UNIT: Special Districts - various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
7607	3611	BU 7607	1,000	00	
7607	5011				1,000 00
7608	3611	BU 7608	1,300	00	
7608	5011				1,600 00
7609	3611	BU 7609	2,000	00	
7609	5011				3,200 00
7610	3611	BU 7610	600	00	
7610	5011				600 00
7611	3611	BU 7611	100	00	
7611	5011				100 00
7612	3611	BU 7612	100	00	
7612	5011				100 00
7613	3611	BU 7613	1,300	00	
7613	5011				1,300 00
7614	3611	BU 7614	300	00	
7614	5011				300 00
7616	3611	BU 7616	600	00	
7616	5011				600 00
7617	3611	BU 7617	800	00	
7617	5011				800 00
7618	3611	BU 7618	2,200	00	
7618	5011				2,200 00
7619	3611	BU 7619	800	00	
TOTALS			11,100	00	11,800 00

APPROVED

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ACCOUNT CODING		BUDGET UNIT: Special Districts - various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
7619	5011				800 00
7621	3611	BU 7621	800 00		
7621	5011				800 00
7622	3611	BU 7622	300 00		
7622	5011				300 00
7623	3611	BU 7623	5,700 00		
7623	5011				15,100 00
7627	3611	BU 7627	100 00		
7627	5011				100 00
7628	3611	BU 7628	300 00		
7628	5011				300 00
7631	3611	BU 7631	100 00		
7631	5011				100 00
7634	3611	BU 7634	500 00		
7634	5011				500 00
7638	3611	BU 7638	100 00		
7638	5011				100 00
7640	3611	BU 7640	800 00		
7640	5011				900 00
7643	3611	BU 7643	1,300 00		
7643	5011				1,300 00
7644	3611	BU 7644	600 00		
7644	5011				600 00
TOTALS			10,600 00		20,900 00

APPROVED

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CONTRA COSTA COUNTY  
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ACCOUNT CODING		BUDGET UNIT: Special Districts - various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
7647	3611	BU 7647	1,200	00		
7647	5011				1,200	00
7648	3611	BU 7648	200	00		
7648	5011				200	00
7650	2479	BU 7650	100	00		
7650	3611				100	00
7652	2479	BU 7652	100	00		
7652	3611				100	00
7653	2479	BU 7653	10,000	00		
7653	1011				10,000	00
7654	3611	BU 7654	500	00		
7654	5011				500	00
7655	1011	BU 7655	13,000	00		
7655	2479		7,500	00		
7655	5011		11,000	00		
7655	3611				40,000	00
7657	2479	BU 7657	8,000	00		
7657	1011				5,000	00
7657	3611				3,000	00
7658	3611	BU 7658	1,200	00		
7658	5011				1,200	00
7659	3611	BU 7659	1,200	00		
7659	5011				1,600	00
TOTALS			54,000	00	62,900	00


APPROVED

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## Attachment C

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:


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ACCOUNT CODING		BUDGET UNIT: Special Districts - various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
7661	3611	BU 7661	1,200	00		
7661	5011				1,200	00
7673	3611	BU 7673	1,000	00		
7673	5011				1,550	00
7674	5011	BU 7674			2,000	00
7681	3611	BU 7681	300	00		
7681	5011				300	00
7684	3611	BU 7684	3,000	00		
7684	5011				6,000	00
7685	3611	BU 7685	1,850	00		
7685	5011				1,850	00
7687	3611	BU 7687	200	00		
7687	5011				200	00
7688	3611	BU 7688	100	00		
7688	5011				100	00
7693	3611	BU 7693	1,600	00		
7693	5011				1,600	00
7694	3611	BU 7694	1,000	00		
7694	5011				1,000	00
7696	3611	BU 7696	100	00		
7696	5011				100	00
7699	3611	BU 7699	300	00		
TOTALS			10,650	00	15,900	00

APPROVED

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ACCOUNT CODING		BUDGET UNIT: Special Districts - various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
7699	5011				300	00
7700	3611	BU 7700	28,100	00		
7700	5011				60,200	00
7701	3611	BU 7701	200	00		
7701	5011				200	00
7706	3611	BU 7706	100	00		
7706	5011				100	00
7708	3611	BU 7708	700	00		
7708	5011				700	00
7709	3611	BU 7709	1,100	00		
7709	5011				1,100	00
7714	3611	BU 7714	500	00		
7714	5011				500	00
7717	3611	BU 7717	100	00		
7717	5011				100	00
7719	3611	BU 7719	2,800	00		
7719	5011				37,000	00
7720	3611	BU 7720	900	00		
7720	5011				1,150	00
7722	3611	BU 7722	400	00		
7722	5011				400	00
7723	3611	BU 7723	2,000	00		
TOTALS			36,900	00	101,750	00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

BY: AgapeDATE 8/30/14

COUNTY ADMINISTRATOR:

BY: Asurub

DATE \_\_\_\_\_

BOARD OF SUPERVISORS:

YES:

NO:

Special Districts FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION

APOO

5091

ADJ. JOURNAL NO.

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

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS☐ COUNTY ADMINISTRATOR

ACCOUNT CODING		BUDGET UNIT: Special Districts - various				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
7723	5011				2,450	00
7724	3611	BU 7724	3,000	00		
7724	5011				5,000	00
7726	5011	BU 7726			2,800	00
7727	3611	BU 7727	300	00		
7727	5011				300	00
7730	3611	BU 7730	200	00		
7730	5011				200	00
7735	3611	BU 7735	100	00		
7735	5011				100	00
7737	3611	BU 7737	700	00		
7737	5011				700	00
7742	5011	BU 7742			23,000	00
7746	3611	BU 7746	1,400	00		
7746	5011				1,400	00
7747	3611	BU 7747	3,000	00		
7747	5011				3,000	00
7473	3611	BU 7473	7,187	00		
7473	2479				15,533	00
7473	5011				1,987	00
7488	2479	BU 7488	2,000	00		
7488	5011				2,000	00
7758	3611	BU 7758	30,000	00		
7758	2479				30,000	00
7602	2479	BU 7602	100	00		
7602	3611				100	00
TOTALS			47,987	00	88,570	00

APPROVED

AUDITOR-CONTROLLER:

BY:  DATE 6/30/14

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST

Special Districts FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

5091

ADJ. JOURNAL NO.

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS☐ COUNTY ADMINISTRATOR

ACCOUNT CODING		BUDGET UNIT: Special Districts - various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
7040	5011	BU 7040	150,000	00	
7040	2479				1,950,000 00
7405	1011	BU 7405	21,250	00	
7405	3611		1,980	00	
7405	2479				24,509 00
7473	3611	BU 7473			40 00
7517	2479	BU 7517			110,000 00
7517	5011				20,000 00
7520	2479	BU 7520	25,000	00	
7520	5011				25,000 00
7521	2479	BU 7521	10,000	00	
7521	5011				10,000 00
7534	2479	BU 7521	500	00	
7534	5011				500 00
7537	2479	BU 7537	2,000	00	
7537	5011				2,000 00
TOTALS			210,730	00	2,142,049 00

APPROVED

AUDITOR-CONTROLLER:

BY: [Signature] DATE 8/30/14

COUNTY ADMINISTRATOR:

BY: [Signature] DATE \_\_\_\_\_

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST

Special Districts FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

**5091**

ADJ. JOURNAL NO.

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS☐ COUNTY ADMINISTRATOR

ACCOUNT CODING		BUDGET UNIT: Special Districts - various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
7538	2479	BU 7538	200	00	
7538	5011				200 00
7543	2479	BU 7543	200	00	
7543	5011				200 00
7548	2479	BU 7548	100	00	
7548	5011				100 00
7553	2479	BU 7553	100	00	
7553	5011				100 00
7555	2479	BU 7555	200	00	
7555	5011				200 00
7558	2479	BU 7558	200	00	
7558	5011				200 00
7563	2479	BU 7563	2,000	00	
7563	5011				2,000 00
7569	2479	BU 7569	200	00	
7569	5011				200 00
TOTALS			3,200	00	3,200 00

APPROVED

AUDITOR-CONTROLLER:

BY:  DATE 8/30/14

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST

Special Districts FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

**5091**

ADJ. JOURNAL NO.



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: Special Districts - various			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
7544	2310	BU 7544	1	00	
7544	3611				1 00
7406	2479	BU 7406	25,000	00	
7406	1011				25,000 00
7553	2479	BU 7553	100	00	
7553	5011				100 00
7405	1011	BU7405	1	00	
7405	3611		1	00	
7405	2479				2 00
7573	2479	BU 7573	100	00	
7573	5011				100 00
7579	2479	BU 7579	750,000	00	
7579	3611				750,000 00
7586	2479	BU 7586	200	00	
7586	5011				200 00
7657	2479	BU 7657	5,100	00	
7657	1011				100 00
7657	3611				5,000 00
TOTALS			780,503	00	780,503 00

APPROVED

AUDITOR-CONTROLLER:

BY:  DATE 8/30/14

COUNTY ADMINISTRATOR:

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

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST

Special Districts FY2015-16 Year End Clean Up

SIGNATURE

TITLE

DATE

APPROPRIATION APOO

5091

ADJ. JOURNAL NO.



**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: SERV AREA EM-1 ZONE B 240600 - 7406	Page 1 of 1	
ORG'N.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
7406	1011	Permanent Salaries	121,608 00	
7406	1015	Deferred Compensation		625 00
7406	1042	FICA	8,214 00	
7406	1043	Retirement Exp. Pre 1997 Retirees	1,074 00	
7406	1044	Retirement Exp.	68,599 00	
7406	1060	Employee Grp. Ins.	22,987 00	
7406	1063	Unemployment Insurance	895 00	
7406	1070	Workers' Comp Insurance	452 00	
7406	2100	Office Expense	8,500 00	
7406	2102	Books-Periodicals-Subscriptions		1,592 00
7406	2110	Communications	404 00	
7406	2130	Small Tools & Instruments	1,000 00	
7406	2131	Minor Equipment		192 00
7406	2132	Minor Computer Equipment	800 00	
7406	2140	Medical & Lab Supplies	12,000 00	
7406	2190	Public & Legal Notices	2,000 00	
7406	2200	Memberships	400 00	
7406	2251	Computer Software	15,220 00	
7406	2270	Maintenance Equipment	45,847 00	
7406	2276	Maintenance Radio-Electric Equipment	10,000 00	
7406	2301	Auto Mileage Employees		2,811 00
7406	2303	Other Travel Employees		1,907 00
7406	2315	Data Processing Services	500 00	
7406	2316	Data Processing Supplies	500 00	
7406	2477	Education Supplies & Courses	1,501 00	
7406	2479	Other Specialized Dept Exp	3,888,702 00	
7406	3530	Taxes & Assessments/Levy Coll		1,910 00
7406	3614	DOIT Phone Exchange		477 00
7406	3617	DOIT Maintenance Radio-Electric Equipment	1,000 00	
7406	3626	Information Security Charges		472 00
			\$4,212,203 00	\$9,986 00

Approved  
AUDITOR - CONTROLLER  
By: *Agape* Date: 8/10/16

COUNTY ADMINISTRATOR  
By: *Patrick Godley* Date: \_\_\_\_\_

BOARD OF SUPERVISORS  
YES: \_\_\_\_\_  
NO: \_\_\_\_\_

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

**EXPLANATION OF REQUEST**

To Adjust FY 15/16 Expenditure Appropriations To Current Estimates.


Revenue Increase(Decrease)	(\$4,202,217.00)
Expense Increase(Decrease)	(\$4,202,217.00)
Subsidy Increase (Decrease)	<u>\$0.00</u>

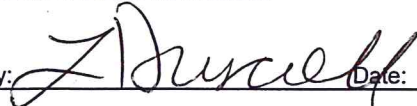
*Patrick Godley* COO/CFO 07/07/16  
Signature Title Date  
Patrick Godley  
Appropriation AP00 5090

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

Attachment C

ACCOUNT CODING		BUDGET UNIT: SERV AREA EM-1 ZONE B 240600 - 7406	Page 1 of 1	
ORG'N.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
7406	9069	Special Taxes Other		14,925 00
7406	9851	Interfund Revenue		137,638 00
7406	8981	Fund Balance		4,049,654 00
			\$0 00	\$4,202,217 00

Approved  
AUDITOR - CONTROLLER  
By:  Date: 8/16/16

COUNTY ADMINISTRATOR  
By:  Date:

BOARD OF SUPERVISORS

YES:

NO:

By: \_\_\_\_\_ Date: 8/18/16 15 8:35

EXPLANATION OF REQUEST

To Adjust FY 15/16 Revenue Appropriations To Current Estimates.

Revenue Increase(Decrease)	(\$4,202,217.00)
Expense Increase(Decrease)	(4,202,217.00)
Subsidy Increase (Decrease)	<u>\$0.00</u>



Signature  
Patrick Godley

COO/CFO  
Title

07/07/16  
Date

Revenue Adj.  
Journal NO.

RA00 5090

**SCHEDULE A**  
**DETAIL OF PROVISIONS FOR OBLIGATED FUND BALANCES**  
**FOR FISCAL YEAR 2016-2017 FINAL BUDGETS**  
**County Special Districts**

FUND	DESCRIPTION - PURPOSE	OBLIGATED FUND BAL BALANCE AS OF 6/30/2016	AMOUNT MADE AVAILABLE BY CANCELLATION		INC. OR NEW OBLIG. FUND BAL TO BE PROVIDED		TOTAL OBLIGATED FUND BAL FOR BUDGET YEAR
			RECOMMENDED	ADOPTED	RECOMMENDED	ADOPTED	
PUBLIC PROTECTION							
FIRE PROTECTION							
CCC FIRE DISTRICT CONSOLIDATED							
202000	NONSPENDABLE-PETTY CASH	500					500
202000	ASSIGNED-GENERAL FUND RESERVE	17,548,746			2,593,568	2,593,568	20,142,314
202000	NONSPENDABLE-INVENTORIES	704,333					704,333
202000	NONSPENDABLE-PREPAID EXPENSE	1,215,806					1,215,806
	TOTAL FIRE PROTECTION	19,469,385	0	0	2,593,568	2,593,568	22,062,953
FLOOD CONTROL							
CCC FLOOD CTL WTR CONS							
250500	ASSIGNED-EQUIP REPLACEMENT	736,581					736,581
250500	NONSPENDABLE-ADV TO OTHER FUNDS	3,013,500					3,013,500
FLOOD CONTROL ZONE 3B							
252000	NONSPENDABLE-ADV TO OTHER FUNDS	2,404,485					2,404,485
FLOOD CNTL Z 1 MARSH CR							
252100	NONSPENDABLE-ADV TO OTHER FUNDS	70,000					70,000
FLD CONTROL DRAINAGE 33A							
253500	NONSPENDABLE-ADV TO OTHER FUNDS	108,000					108,000
FLD CNTRL DRNG AREA 67							
253900	NONSPENDABLE-ADV TO OTHER FUNDS	70,000					70,000
FLOOD CONTROL DRNG 10							
255400	NONSPENDABLE-ADV TO OTHER FUNDS	225,000					225,000
FLOOD CONTROL DRNG 29C							
255500	NONSPENDABLE-ADV TO OTHER FUNDS	77,000					77,000
FLOOD CTL DRAINAGE 15A							
255900	NONSPENDABLE-ADV TO OTHER FUNDS	25,000					25,000
FLD CONTROL DRNG 910							
256000	NONSPENDABLE-ADV TO OTHER FUNDS	30,000					30,000
FLD CNTRL DRNG AREA 56							
256600	NONSPENDABLE-ADV TO OTHER FUNDS	879,000					879,000
FLOOD CONTROL DRNG 55							

**SCHEDULE A**  
**DETAIL OF PROVISIONS FOR OBLIGATED FUND BALANCES**  
**FOR FISCAL YEAR 2016-2017 FINAL BUDGETS**  
**County Special Districts**

FUND	DESCRIPTION - PURPOSE	OBLIGATED FUND BAL AS OF 6/30/2016	AMOUNT MADE AVAILABLE BY CANCELLATION		INC. OR NEW OBLIG. FUND BAL TO BE PROVIDED		TOTAL OBLIGATED FUND BAL FOR BUDGET YEAR
			RECOMMENDED	ADOPTED	RECOMMENDED	ADOPTED	
257900	NONSPENDABLE-ADV TO OTHER FUNDS FLD CNTRL DRNGE 1010	125,000					125,000
258000	NONSPENDABLE-ADV TO OTHER FUNDS FLD CNTRL DRNG 101A	106,000					106,000
258100	NONSPENDABLE-ADV TO OTHER FUNDS FLOOD CONTROL DRAINAGE 16	96,000					96,000
258300	NONSPENDABLE-ADV TO OTHER FUNDS FLOOD CONTROL DRNG 22	155,000					155,000
258800	NONSPENDABLE-ADV TO OTHER FUNDS	80,000					80,000
	TOTAL FLOOD CONTROL	8,200,566	0	0	0	0	8,200,566
	SERVICE AREA POLICE P-6 CENTRAL ADMIN BASE						
262900	ASSIGNED-EQUIP REPLACEMENT SERV AREA P-2 ZONE A	23,945					23,945
265300	ASSIGNED-EQUIP REPLACEMENT POLICE AREA 5 RND HILL	56,288					56,288
265500	ASSIGNED-GENERAL RESERVE	179,900					179,900
265500	ASSIGNED-EQUIP REPLACEMENT SERV AREA P-2 ZONE B	13,571					13,571
265700	NONSPENDABLE-PREPAID EXPENSE	7,625					7,625
265700	ASSIGNED-EQUIP REPLACEMENT	27,832					27,832
	TOTAL SERVICE AREA POLICE	309,161	0	0	0	0	309,161
	TOTAL PUBLIC PROTECTION	27,979,112	0	0	2,593,568	2,593,568	30,572,680
	HEALTH AND SANITATION EMERGENCY MEDICAL SERVICES SERV AREA EM-1 ZONE B						
240600	NONSPENDABLE-PREPAID EXPENSE	19,303					19,303
	TOTAL EMERGENCY MEDICAL SRVCES	19,303	0	0	0	0	19,303

**SCHEDULE A**  
**DETAIL OF PROVISIONS FOR OBLIGATED FUND BALANCES**  
**FOR FISCAL YEAR 2016-2017 FINAL BUDGETS**  
**County Special Districts**

FUND	DESCRIPTION - PURPOSE	OBLIGATED FUND BAL BALANCE AS OF 6/30/2016	AMOUNT MADE AVAILABLE BY CANCELLATION		INC. OR NEW OBLIG. FUND BAL TO BE PROVIDED		TOTAL OBLIGATED FUND BAL FOR BUDGET YEAR
			RECOMMENDED	ADOPTED	RECOMMENDED	ADOPTED	
	TOTAL HEALTH AND SANITATION	19,303	0	0	0	0	19,303
	PUBLIC WAYS & FACILITIES						
	SERVICE AREA MISCELLANEOUS						
	SERV AREA M-17 MONTALVIN						
248900	NONSPENDABLE-PETTY CASH	5,000					5,000
	TOTAL SERVICE AREA MISCELLANEOUS	5,000	0	0	0	0	5,000
	TOTAL PUBLIC WAYS & FACILITIES	5,000	0	0	0	0	5,000
	SERVICE AREA RECREATION	-	-	-	-	-	
	SERV AREA R-7 ZONE A	-	-	-	-	-	
275800	NONSPENDABLE-PETTY CASH	5,000					5,000
	SERV AREA R-10 RODEO						
276000	NONSPENDABLE-PETTY CASH	3,000					3,000
	TOTAL SERVICE AREA RECREATION	8,000	0	0	0	0	8,000
	TOTAL RECREATION & CULTURAL SVC	8,000	0	0	0	0	8,000
	TOTAL OBLIGATED FUND BALANCES	28,011,415	0	0	2,593,568	2,593,568	30,604,983

## SCHEDULE B

Attachment D

2016- 2017

**CONTRA COSTA COUNTY  
SPECIAL DISTRICTS  
FUND BALANCE AVAILABLE**

		Fund Balance Per Auditor as of	Less Obligated Fund Balances			Fund Balance	
District		6/30/2016	Encumbrances	Nonspendable, Restricted & Committed	Assigned	Available	
PUBLIC PROTECTION							
FIRE PROTECTION							
202000	7300	CCCCFPD-Consolidated Fire	25,431,843	973,132	1,920,639	20,142,314	2,395,757
202200	7022	CCCCFPD POB Debt Svc Fund	11,270,028				11,270,028
202400	7024	CCCCFPD POB Stabilization Fund	9,161,594				9,161,594
202800	7028	Crockett-Carquinez Fire Dist	468,637				468,637
203100	7031	CCCCFPD-Cap Outlay-Consolidated	2,972,520	200,179			2,772,340
203300	7033	CCCCFPD Developer Fee	894				894
203400	7034	Riverview Fire Developer Fee	33,723	7,467			26,256
203500	7035	CCCCFPD Fire Prevention-Consolidated	214				214
203600	7036	CCCCFPD New Devlpmt Pmt Fee FD	178,342	49,572			128,769
203800	7038	CCCCFPD Pittsburg Special	863,456				863,456
204000	7040	CCCCFPD EMS Transport Fund	286,944				286,944
TOTAL FIRE PROTECTION		50,668,194	1,230,351	1,920,639	20,142,314	27,374,890	
FLOOD CONTROL							
250500	7505	Flood Control & Wtr Conserv	8,045,922	186,424	3,013,500	736,581	4,109,417
252000	7520	Flood Control Zone #3B	25,292,945		2,404,485		22,888,460
252100	7521	Flood Control Zone #1	1,007,472		70,000		937,472
252200	7522	Flood Control Zone #2	564				564
252600	7526	Flood Control Zone #6A	17,909				17,909
252700	7527	Flood Control Zone #7	799,522				799,522
253000	7530	Flood Control Zone #8	114,769				114,769
253100	7531	Flood Control Zone #8A	344,170				344,170
253200	7532	Flood Control Zone #9	112,927				112,927
253400	7534	Flood Control Drainage 37A	9,827				9,827
253500	7535	Flood Control Drainage 33A	201,423		108,000		93,423
253600	7536	Flood Control Drainage 75A	325,506				325,506
253700	7537	Flood Control Drainage 128	151,948				151,948
253800	7538	Flood Control Drainage 57	44,455				44,455
253900	7539	Flood Control Drainage 67	97,036		70,000		27,036
254000	7540	Flood Control Drainage 19A	35,480				35,480
254100	7541	Flood Control Drainage 33B	8,547				8,547
254200	7542	Flood Control Drainage 76	280,585				280,585
254300	7543	Flood Control Drainage 62	104,532				104,532
254400	7544	Flood Control Drainage 72	25,831				25,831
254500	7545	Flood Control Drainage 78	9,230				9,230
254600	7546	Flood Control Drainage 30B	352,792				352,792
254700	7547	Flood Control Drainage 44B	322,926				322,926
254800	7548	Flood Control Drainage 29E	28,025				28,025
254900	7549	Flood Control Drainage 52B	33,674				33,674
255000	7550	Flood Control Drainage 290	19,240				19,240
255100	7551	Flood Control Drainage 300	64,565				64,565



**SCHEDULE B**  
**2016- 2017**  
**CONTRA COSTA COUNTY**  
**SPECIAL DISTRICTS**  
**FUND BALANCE AVAILABLE**

Attachment D

			Fund Balance Per Auditor as of	<u>Less Obligated Fund Balances</u>			Fund Balance
District			6/30/2016	Encumbrances	Nonspendable, Restricted & Committed	Assigned	Available
<b>FLOOD CONTROL CONT.</b>							
255200	7552	Flood Control Drainage 13A	3,683,562				3,683,562
255300	7553	Flood Control Drainage 52A	458,201				458,201
255400	7554	Flood Control Drainage 10	3,608,725		225,000		3,383,725
255500	7555	Flood Control Drainage 29C	267,646		77,000		190,646
255600	7556	Flood Control Drainage 29D	217,324				217,324
255700	7557	Flood Control Drainage 30A	92,607				92,607
255800	7558	Flood Control Drainage 30C	1,922,752				1,922,752
255900	7559	Flood Control Drainage 15A	144,710		25,000		119,710
256000	7560	Flood Control Drainage 910	222,957		30,000		192,957
256100	7561	Flood Control Drainage 33C	474				474
256200	7562	Flood Control Drainage 130	626,891				626,891
256300	7563	Flood Control Drainage 127	5,154				5,154
256500	7565	Flood Control Drainage 40A	361,719				361,719
256600	7566	Flood Control Drainage 56	8,028,440		879,000		7,149,440
256700	7567	Flood Control Drainage 73	222,844				222,844
256800	7568	Flood Control Drainage 29G	71,451				71,451
256900	7569	Flood Control Drainage 29H	19,536				19,536
257000	7570	Flood Control Drainage 29J	8,137				8,137
257100	7571	Flood Control Drainage 52C	2,000,211				2,000,211
257200	7572	Flood Control Drainage 48C	540,991				540,991
257300	7573	Flood Control Drainage 48D	16,492				16,492
257400	7574	Flood Control Drainage 48B	459,747				459,747
257500	7575	Flood Control Drainage 67A	298,541				298,541
257600	7576	Flood Control Drainage 76A	194,236				194,236
257700	7577	Flood Control Drainage 520	98,103				98,103
257800	7578	Flood Control Drainage 46	1,201,788		0		1,201,788
257900	7579	Flood Control Drainage 55	2,289,172	750,000	125,000		1,414,172
258000	7580	Flood Control Drainage 1010	898,911		106,000		792,911
258100	7581	Flood Control Drainage 101A	898,105		96,000		802,105
258200	7582	Flood Control Drainage 1010A	255,714				255,714
258300	7583	Flood Control Drainage 16	1,185,157		155,000		1,030,157
258400	7584	Flood Control Drainage 52D	18,439				18,439
258500	7585	Flood Control Drainage 87	32,926				32,926
258600	7586	Flood Control Drainage 88	22,136				22,136
258700	7587	Flood Control Drainage 89	19,740				19,740
258800	7588	Flood Control Drainage 22	194,765		80,000		114,765
259500	7595	Flood Control Drainage 109	6,365				6,365
259700	7597	Flood Control Drainage 47	145,701				145,701
<b>TOTAL FLOOD CONTROL</b>			<b>68,592,188</b>	<b>936,424</b>	<b>7,463,985</b>	<b>736,581</b>	<b>59,455,197</b>

## SCHEDULE B

Attachment D

2016- 2017

CONTRA COSTA COUNTY  
SPECIAL DISTRICTS  
FUND BALANCE AVAILABLE

		Fund Balance Per Auditor as of	<u>Less Obligated Fund Balances</u>			Fund Balance
District		6/30/2016	Encumbrances	Nonspendable, Restricted & Committed	Assigned	Available
<b><u>STORM DRAINAGE DISTRICTS</u></b>						
259400	7594 Storm Drainage Zone #19	1,859				1,859
<b>TOTAL STORM DRAINAGE DISTRICTS</b>		<u>1,859</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,859</u>
<b><u>STORMWATER UTILITY DISTRICTS</u></b>						
248400	7484 CCC CFD 2007-1 Stormwater	24,882				24,882
250100	7501 Stormwater Util A-1 Ant	114,173				114,173
250200	7502 Stormwater Util A-2 Clyn	9,145				9,145
250300	7503 Stormwater Util A-3 Conc	73,712				73,712
250400	7504 Stormwater Util A-4 Danv	23,211				23,211
250700	7507 Stormwater Util A-7 Laf	20,495				20,495
250800	7508 Stormwater Util A-8 Mrtz	25,514				25,514
250900	7509 Stormwater Util A-9 Mrga	25,553				25,553
251000	7510 Stormwater Util A-10 Orin	24,237				24,237
251100	7511 Stormwater Util A-11 Pinl	38,204				38,204
251200	7512 Stormwater Util A-12 Pitt	89,293				89,293
251300	7513 Stormwater Util A-13 PI H	21,819				21,819
251400	7514 Stormwater Util A-14 S Pb	40,538				40,538
251500	7515 Stormwater Util A-15 S Rm	36,154				36,154
251600	7516 Stormwater Util A-16 W Ck	21,606				21,606
251700	7517 Stormwater Util A-17 Co	293,484				293,484
251800	7518 Stormwater Util A-18 Okly	25,888				25,888
251900	7519 Stormwater Util Admin	3,067,530	16,155			3,051,376
252300	7523 Stormwater Util A-19 Rich	80,373				80,373
252500	7525 Stormwater Util A-5 El C	47,636				47,636
253300	7533 Stormwater Util A-20 Brnt	138,591				138,591
252400	7596 Stormwater Util A-6 Herc	39,392				39,392
<b>TOTAL STORMWATER UTILITY DISTRICTS</b>		<u>4,281,432</u>	<u>16,155</u>	<u>0</u>	<u>0</u>	<u>4,265,277</u>
<b><u>SERVICE AREA-POLICE</u></b>						
260300	7603 Area P-6 Zone 502	1,000				1,000
260500	7605 Area P-6 Zone 1508	5,801				5,801
260600	7606 Area P-6 Zone 1614	1,506				1,506
260700	7607 Area P-6 Zone 1804	700				700
260800	7608 Area P-6 Zone 2201	700				700
260900	7609 Area P-6 Zone 501	1,000				1,000
261000	7610 Area P-6 Zone 1613	700				700
261100	7611 Area P-6 Zone 2200	700				700
261200	7612 Area P-6 Zone 2502	1,506				1,506
261300	7613 Area P-6 Zone 2801	700				700
261400	7614 Area P-6 Zone 1609	700				700
261500	7615 Area P-6 Zone 1610	1,565				1,565
261600	7616 Area P-6 Zone 1611	700				700

**SCHEDULE B**  
**2016- 2017**  
**CONTRA COSTA COUNTY**  
**SPECIAL DISTRICTS**  
**FUND BALANCE AVAILABLE**

Attachment D

		Fund Balance Per Auditor as of	<u>Less Obligated Fund Balances</u>			Fund Balance
District		6/30/2016	Encumbrances	Nonspendable, Restricted & Committed	Assigned	Available
<b><u>SERVICE AREA-POLICE CON'T.</u></b>						
261700	7617 Area P-6 Zone 1612	700				700
261800	7618 Area P-6 Zone 2501	700				700
261900	7619 Area P-6 Zone 2800	700				700
262000	7620 Area P-6 Zone 1514	158				158
262100	7621 Area P-6 Zone 1101	700				700
262200	7622 Area P-6 Zone 1803	700				700
262300	7623 Area P-6 Zone 1700	1,000				1,000
262500	7625 Area P-6 Zone 2903	929				929
262400	7624 Area P-6 Zone 2000	2,101				2,101
262600	7626 Area P-6 Zone 1505	1,942				1,942
262700	7627 Area P-6 Zone 1506	700				700
262800	7628 Area P-6 Zone 1001	700				700
262900	7629 P-6 Central Admin Base	8,849,621			23,945	8,825,676
263000	7630 Area P-6 Zone 1607	1,942				1,942
263100	7631 Area P-6 Zone 1504	700				700
263200	7632 Area P-6 Zone 2702	2,091				2,091
263300	7633 Area P-6 Zone 1606	1,228				1,228
263400	7634 Area P-6 Zone 1605	700				700
263600	7636 Area P-6 Zone 1503	955				955
263700	7637 Area P-6 Zone 400	1,252				1,252
263800	7638 Area P-6 Zone 702	700				700
263900	7639 Area P-6 Zone 1502	1,409				1,409
264000	7640 Area P-6 Zone 3100	700				700
264100	7641 Area P-6 Zone 2500	2,316				2,316
264200	7642 Area P-6 Zone 701	1,094				1,094
264300	7643 Area P-6 Zone 202	700				700
264400	7644 Area P-6 Zone 1501	700				700
264500	7645 Area P-6 Zone 1604	1,445				1,445
264600	7646 Area P-6 Zone 1801	1,445				1,445
264700	7647 Area P-6 Zone 2901	700				700
264800	7648 Area P-6 Zone 1603	700				700
264900	7649 Area P-6 Zone 1200	700				700
265000	7650 Police SVC-Crockett Cogen	826,417		0		826,417
265200	7652 Police Area 2 Danville	6,824				6,824
265300	7653 Area P-2 Zone A, Blackhawk	762,670		0	56,288	706,382
265400	7654 Area P-6 Zone 2902	1,573				1,573
265500	7655 Area P-5, Roundhill Area	207,274			193,471	13,802
265600	7656 Service Area PL6	2,320,483				2,320,483
265700	7657 Area P-2 Zone B, Alamo	210,993	11,107	7,625	27,832	164,429
265800	7658 Area P-6 Zone 206	700				700
265900	7659 Area P-6 Zone 207	700				700
266100	7661 Area P-6 Zone 200	700				700
267100	7671 Area P-6 Zone 209	2,250				2,250

SCHEDULE B  
2016- 2017  
CONTRA COSTA COUNTY  
SPECIAL DISTRICTS  
FUND BALANCE AVAILABLE

Attachment D

		Fund Balance Per Auditor as of	<u>Less Obligated Fund Balances</u>			Fund Balance
District		6/30/2016	Encumbrances	Nonspendable, Restricted & Committed	Assigned	Available
<b><u>SERVICE AREA-POLICE CON'T.</u></b>						
267200	7372 Area P-6 Zone 211	2,497				2,497
267300	7673 Area P-6 Zone 1005	700				700
267400	7674 Area P-6 Zone 201	1,000				1,000
267500	7675 Area P-6 Zone 2700	1,472				1,472
268000	7680 Area P-6 Zone 700	1,129				1,129
268100	7681 Area P-6 Zone 1100	700				700
268200	7682 Area P-6 Zone 1600	1,472				1,472
268300	7683 Area P-6 Zone 2601	1,461				1,461
268400	7684 Area P-6 Zone 500	1,000				1,000
268500	7685 Area P-6 Zone 1000	700				700
268700	7687 Area P-6 Zone 2900	700				700
268800	7688 Area P-6 Zone 1006	700				700
268900	7689 Area P-6 Zone 1601	1,502				1,502
269000	7690 Area P-6 Zone 2300	1,461				1,461
269300	7693 Area P-6 Zone 1602	700				700
269400	7694 Area P-6 Zone 1800	700				700
269500	7695 Area P-6 Zone 2600	1,468				1,468
269600	7696 Area P-6 Zone 2701	1,370				1,370
269700	7697 Area P-6 Zone 1500	307				307
269900	7699 Area P-6 Zone 3000	700				700
271500	7735 Area P-6 Zone 1512	700				700
271600	7736 Area P-6 Zone 1608	741				741
271700	7737 Area P-6 Zone 1616	700				700
271800	7738 Area P-6 Zone 1802	26,356				26,356
272000	7700 Area P-6 Zone 503	1,000				1,000
272100	7701 Area P-6 Zone 3103	700				700
272200	7703 Area P-6 Zone 900	2,027				2,027
272300	7704 Area P-6 Zone 1509	1,754				1,754
272400	7705 Area P-6 Zone 3101	2,019				2,019
272500	7706 Area P-6 Zone 1615	1,491				1,491
272600	7707 Area P-6 Zone 1511	2,279				2,279
272700	7708 Area P-6 Zone 1510	700				700
272800	7709 Area P-6 Zone 203	700				700
273000	7714 Area P-6 Zone 1002	700				700
273100	7715 Area P-6 Zone 2602	1,895				1,895
273200	7716 Area P-6 Zone 204	2,794				2,794
273300	7717 Area P-6 Zone 1003	701				701
273400	7718 Area P-6 Zone 1201	2,225				2,225
273500	7719 Area P-6 Zone 2203	1,000				1,000
273600	7720 Area P-6 Zone 3001	1,000				1,000
273700	7723 Area P-6 Zone 504	1,000				1,000

## SCHEDULE B

Attachment D

2016- 2017

**CONTRA COSTA COUNTY  
SPECIAL DISTRICTS  
FUND BALANCE AVAILABLE**

		Fund Balance Per Auditor as of	<u>Less Obligated Fund Balances</u>			Fund Balance
District		6/30/2016	Encumbrances	Nonspendable, Restricted & Committed	Assigned	Available
<b><u>SERVICE AREA-POLICE CON'T.</u></b>						
273800	7721 Area P-6 Zone 3102	1,366				1,366
273900	7722 Area P-6 Zone 3104	700				700
274000	7724 Area P-6 Zone 2202	1,000				1,000
274100	7725 Area P-6 Zone 205	893				893
274200	7726 Area P-6 Zone 301	1,000				1,000
274300	7727 Area P-6 Zone 1004	700				700
274400	7728 Area P-6 Zone 2603	2,415				2,415
274600	7746 Area P-6 Zone 3002	700				700
274700	7747 Area P-6 Zone 3105	700				700
274800	7748 Area P-6 Zone 3106	2,179				2,179
274900	7749 Area P-6 Zone 3107	1,285				1,285
277500	7745 Area P-6 Zone 0210	3,186				3,186
277600	7734 Area P-6 Zone 1513	700				700
277700	7741 Area P-6 Zone 2604	2,144				2,144
277800	7742 Area P-6 Zone 2605	1,000				1,000
277900	7743 Area P-6 Zone 3003	2,725				2,725
278100	7731 Area P-6 Zone 3108	1,018				1,018
278200	7732 Area P-6 Zone 3109	1,642				1,642
278300	7733 Area P-6 Zone 3110	1,122				1,122
278500	7730 Area P-6 Zone 3112	700				700
<b>TOTAL SERVICE AREA-POLICE</b>		<b>13,341,384</b>	<b>11,107</b>	<b>7,625</b>	<b>301,536</b>	<b>13,021,117</b>
<b><u>SERVICE AREA-DRAINAGE</u></b>						
260200	7602 Area D-2,Walnut Creek	329,729				329,729
<b>TOTAL SERVICE AREA-DRAINAGE</b>		<b>329,729</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>329,729</b>
<b><u>MISCELLANEOUS DISTRICTS</u></b>						
277100	7771 Discovery Bay West Parking	23,976				23,976
282500	7825 Contra Costa Water Agency	1,027,408				1,027,408
<b>TOTAL MISCELLANEOUS DISTRICTS</b>		<b>1,051,383</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,051,383</b>
<b>TOTAL PUBLIC PROTECTION</b>		<b>138,266,169</b>	<b>2,194,036</b>	<b>9,392,249</b>	<b>21,180,430</b>	<b>105,499,453</b>
<b>HEALTH AND SANITATION</b>						
<b><u>EMERGENCY MEDICAL SERVICES</u></b>						
240600	7406 Area EM-1, Zone B	4,735,642	0	19,303		4,716,339
<b>TOTAL EMERGENCY MEDICAL SERVICES</b>		<b>4,735,642</b>	<b>0</b>	<b>19,303</b>	<b>0</b>	<b>4,716,339</b>
<b><u>SANITATION DISTRICTS</u></b>						
236500	7365 District #6	(7,844)	0			(7,844)
<b>TOTAL SANITATION DISTRICTS</b>		<b>(7,844)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(7,844)</b>
<b>TOTAL HEALTH AND SANITATION</b>		<b>4,727,798</b>	<b>0</b>	<b>19,303</b>	<b>0</b>	<b>4,708,495</b>

**SCHEDULE B**  
**2016- 2017**  
**CONTRA COSTA COUNTY**  
**SPECIAL DISTRICTS**  
**FUND BALANCE AVAILABLE**

Attachment D

			Fund Balance Per Auditor as of	<u>Less Obligated Fund Balances</u>			Fund Balance
District			6/30/2016	Encumbrances	Nonspendable, Restricted & Committed	Assigned	Available
<b>EDUCATION</b>							
<b><u>SERVICE AREA-LIBRARY</u></b>							
270200	7702	Area LIB-2,El Sobrante	157,451				157,451
271000	7710	Area LIB-10,Pinole	2,708				2,708
271200	7712	Area LIB-12,Moraga	20,555				20,555
271300	7713	Area LIB-13,Ygnacio	212,123				212,123
<b>TOTAL SERVICE AREA-LIBRARY</b>			<u>392,837</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>392,837</u>
<b>TOTAL EDUCATION</b>			<u>392,837</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>392,837</u>
<b>PUBLIC WAYS AND FACILITIES</b>							
<b><u>SERVICE AREA-LIGHTING</u></b>							
240100	7394	Area L-100, Countywide	5,393,933				5,393,933
248700	7487	CCC CFD 2010-1 St Lightng	32,769				32,769
<b>TOTAL SERVICE AREA-LIGHTING</b>			<u>5,426,702</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,426,702</u>
<b><u>SERVICE AREA-MISCELLANEOUS</u></b>							
247000	7470	Area M-1, Delta Ferry	3,184				3,184
247500	7475	Area M-29, Dougherty Valley	4,813,695				4,813,695
247600	7476	Area M-31 PH BART	54,428				54,428
248000	7480	CSA T-1 Danville	2,219,251				2,219,251
248500	7485	No Rchmd Mtce CFD 2006-1	111,202				111,202
248600	7486	Bart Tmsit VLG CFD 2008-1	219,508				219,508
248800	7488	Area M-16, Clyde	10,078				10,078
248900	7489	Area M-17, Montalvin Manor	190,351		5,000		185,351
249200	7492	Area M-20, Rodeo	23,063				23,063
249600	7496	Area M-23, Blackhawk	144,569				144,569
249900	7499	Area M-30, Danville	7,154				7,154
<b>TOTAL SERVICE AREA-MISCELLANEOUS</b>			<u>7,796,482</u>	<u>0</u>	<u>5,000</u>	<u>0</u>	<u>7,791,482</u>
<b><u>SERVICE AREA-ROAD MAINTENANCE</u></b>							
249400	7494	Area RD-4, Bethel Island	98,022				98,022
<b>TOTAL SERVICE AREA-ROAD MAINTENANCE</b>			<u>98,022</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>98,022</u>
<b>TOTAL PUBLIC WAYS AND FACILITIES</b>			<u>13,321,207</u>	<u>0</u>	<u>5,000</u>	<u>0</u>	<u>13,316,207</u>
<b>RECREATION/CULTURAL SVCS</b>							
<b><u>SERVICE AREA-RECREATION</u></b>							
275700	7757	Service Area R-9, El Sobrante	27,109				27,109
275800	7758	Service Area R-7,Zone A Alamo	3,466,358	4,104	5,000		3,457,254



SCHEDULE B  
2016- 2017  
CONTRA COSTA COUNTY  
SPECIAL DISTRICTS  
FUND BALANCE AVAILABLE

Attachment D

		Fund Balance Per Auditor as of	<u>Less Obligated Fund Balances</u>			Fund Balance
District		6/30/2016	Encumbrances	Nonspendable, Restricted & Committed	Assigned	Available
<u>SERVICE AREA-RECREATION CONT.</u>						
276000	7770 Service Area R-10, Rodeo	27,437		3,000		24,437
TOTAL SERVICE AREA-RECREATION		3,520,905	4,104	8,000	0	3,508,801
TOTAL RECREATION/CULTURAL SVCS		3,520,905	4,104	8,000	0	3,508,801
TOTAL COUNTY SPECIAL DISTRICTS		160,228,916	2,198,141	9,424,553	21,180,430	127,425,793

**SCHEDULE C  
RECOMMENDED VS. FINAL BUDGET  
FUND BALANCE CHANGES  
APPROPRIATION AND ESTIMATED REVENUE RECOMMENDATIONS  
FOR 2016-2017 FINAL BUDGET**

Attachment D

<u>DISTRICT</u>	<u>2016-2017 RECOMMENDED BUDGET FUND BALANCE</u>	<u>2016-2017 FINAL BUDGET FUND BALANCE</u>	<u>FINAL YEAR-END FUND BALANCE AVAILABLE</u>	<u>FUND BALANCE CHANGE</u>	<u>RECOMMENDED LINE ITEM CHANGES AMOUNT</u>	<u>B/U-ACCT</u>
<b>PUBLIC PROTECTION</b>						
<b><u>FIRE PROTECTION</u></b>						
7300 CCCFPD-Consolidated Fire	2,395,757	2,395,757	2,395,757	0	0	7300-2479
7022 CCCFPD POB Debt Svc Fund	0	0	11,270,028	11,270,028	11,270,028	7022-3501
7024 CCCFPD POB Stabilization Fund	0	0	9,161,594	9,161,594	9,161,594	7024-1044
7028 Crockett-Carquinez Fire Dist	18,063	18,063	468,637	450,574	450,574	7028-2479
7031 CCCFPD-Cap Outlay-Consolidated	2,998,279	2,998,279	2,772,340	(225,939)	(225,939)	7031-4795
7033 CCCFPD Developer Fee	990	990	894	(96)	(96)	7033-2130
7034 Riverview Fire Developer Fee	56,115	56,115	26,256	(29,859)	(29,859)	7034-4954
7035 CCCFPD Fire Prevention-Consolidated			214	214		7035-2190
7036 CCCFPD New Devlpmt Pmt Fee FD	88,401	88,401	128,769	40,368	40,368	7036-2281
7038 CCCFPD Pittsburg Special	865,227	865,227	863,456	(1,771)	(1,771)	7038-2281
7040 CCCFPD EMS Transport Fund	0	0	286,944	286,944	286,944	7040-2479
<b>TOTAL FIRE PROTECTION</b>	<b>6,422,832</b>	<b>6,422,832</b>	<b>27,374,890</b>	<b>20,952,058</b>	<b>20,952,058</b>	
<b><u>FLOOD CONTROL</u></b>						
7505 Flood Control & Wtr Conserv	964,000	964,000	4,109,417	3,145,417	3,145,417	7505-2340
7520 Flood Control Zone #3B	(1,736,550)	(1,736,550)	22,888,460	24,625,010	24,625,010	7520-2340
7521 Flood Control Zone #1	(904,500)	(904,500)	937,472	1,841,972	1,841,972	7521-2340
7522 Flood Control Zone #2		0	564	564	564	7522-5011
7526 Flood Control Zone #6A		0	17,909	17,909	17,909	7526-3611
7527 Flood Control Zone #7	(54,985)	(54,985)	799,522	854,507	854,507	7527-2310
7530 Flood Control Zone #8	(18,851)	(18,851)	114,769	133,620	133,620	7530-2310
7531 Flood Control Zone #8A	(25,391)	(25,391)	344,170	369,561	369,561	7531-2310
7532 Flood Control Zone #9	26,800	26,800	112,927	86,127	86,127	7532-2340
7534 Flood Control Drainage 37A	(1,000)	(1,000)	9,827	10,827	10,827	7534-5011
7535 Flood Control Drainage 33A	6,100	6,100	93,423	87,323	87,323	7535-2340
7536 Flood Control Drainage 75A	(14,500)	(14,500)	325,506	340,006	340,006	7536-2310
7537 Flood Control Drainage 128	(84,250)	(84,250)	151,948	236,198	236,198	7537-2340
7538 Flood Control Drainage 57	(1,600)	(1,600)	44,455	46,055	46,055	7538-2340
7539 Flood Control Drainage 67	400	400	27,036	26,636	26,636	7539-2340
7540 Flood Control Drainage 19A	1,400	1,400	35,480	34,080	34,080	7540-2310
7541 Flood Control Drainage 33B	1,500	1,500	8,547	7,047	7,047	7541-2340
7542 Flood Control Drainage 76	(8,800)	(8,800)	280,585	289,385	289,385	7542-2310
7543 Flood Control Drainage 62	(9,100)	(9,100)	104,532	113,632	113,632	7543-2310
7544 Flood Control Drainage 72	(5,000)	(5,000)	25,831	30,831	30,831	7544-2310
7545 Flood Control Drainage 78	(5,000)	(5,000)	9,230	14,230	14,230	7545-5011
7546 Flood Control Drainage 30B	(3,300)	(3,300)	352,792	356,092	356,092	7546-2310
7547 Flood Control Drainage 44B	2,700	2,700	322,926	320,226	320,226	7547-2310
7548 Flood Control Drainage 29E	4,400	4,400	28,025	23,625	23,625	7548-2310
7549 Flood Control Drainage 52B	(8,500)	(8,500)	33,674	42,174	42,174	7549-3611
7550 Flood Control Drainage 290	(1,937)	(1,937)	19,240	21,177	21,177	7550-2310
7551 Flood Control Drainage 300	(4,633)	(4,633)	64,565	69,198	69,198	7551-2310
7552 Flood Control Drainage 13A	(246,025)	(246,025)	3,683,562	3,929,587	3,929,587	7552-2310
7553 Flood Control Drainage 52A	(226,800)	(226,800)	458,201	685,001	685,001	7553-2310

**SCHEDULE C  
RECOMMENDED VS. FINAL BUDGET  
FUND BALANCE CHANGES**

Attachment D

**APPROPRIATION AND ESTIMATED REVENUE RECOMMENDATIONS  
FOR 2016-2017 FINAL BUDGET**

<u>DISTRICT</u>	<u>2016-2017 RECOMMENDED BUDGET FUND BALANCE</u>	<u>2016-2017 FINAL BUDGET FUND BALANCE</u>	<u>FINAL YEAR-END FUND BALANCE AVAILABLE</u>	<u>FUND BALANCE CHANGE</u>	<u>RECOMMENDED LINE ITEM CHANGES</u>	
					<u>AMOUNT</u>	<u>B/U-ACCT</u>
<b><u>FLOOD CONTROL CON'T</u></b>						
7554 Flood Control Drainage 10	(344,175)	(344,175)	3,383,725	3,727,900	3,727,900	7554-2340
7555 Flood Control Drainage 29C	(5,800)	(5,800)	190,646	196,446	196,446	7555-2340
7556 Flood Control Drainage 29D	(5,500)	(5,500)	217,324	222,824	222,824	7556-2340
7557 Flood Control Drainage 30A	(76,000)	(76,000)	92,607	168,607	168,607	7557-3611
7558 Flood Control Drainage 30C	(290,500)	(290,500)	1,922,752	2,213,252	2,213,252	7558-2310
7559 Flood Control Drainage 15A	200	200	119,710	119,510	119,510	7559-2340
7560 Flood Control Drainage 910	(800)	(800)	192,957	193,757	193,757	7560-5011
7561 Flood Control Drainage 33C	500	500	474	(26)	(26)	7561-5011
7562 Flood Control Drainage 130	(989,000)	(989,000)	626,891	1,615,891	1,615,891	7562-5011
7563 Flood Control Drainage 127	8,100	8,100	5,154	(2,946)	(2,946)	7563-5011
7565 Flood Control Drainage 40A	(3,800)	(3,800)	361,719	365,519	365,519	7565-5011
7566 Flood Control Drainage 56	57,500	57,500	7,149,440	7,091,940	7,091,940	7566-2340
7567 Flood Control Drainage 73	(3,800)	(3,800)	222,844	226,644	226,644	7567-2310
7568 Flood Control Drainage 29G	4,450	4,450	71,451	67,001	67,001	7568-2310
7569 Flood Control Drainage 29H	(3,550)	(3,550)	19,536	23,086	23,086	7569-2310
7570 Flood Control Drainage 29J	6,500	6,500	8,137	1,637	1,637	7570-2310
7571 Flood Control Drainage 52C	(179,000)	(179,000)	2,000,211	2,179,211	2,179,211	7571-2310
7572 Flood Control Drainage 48C	3,000	3,000	540,991	537,991	537,991	7572-2340
7573 Flood Control Drainage 48D	(550)	(550)	16,492	17,042	17,042	7573-2340
7574 Flood Control Drainage 48B	(88,650)	(88,650)	459,747	548,397	548,397	7574-2310
7575 Flood Control Drainage 67A	(12,100)	(12,100)	298,541	310,641	310,641	7575-2310
7576 Flood Control Drainage 76A	(51,600)	(51,600)	194,236	245,836	245,836	7576-2310
7577 Flood Control Drainage 520	7,500	7,500	98,103	90,603	90,603	7577-2310
7578 Flood Control Drainage 46	(21,000)	(21,000)	1,201,788	1,222,788	1,222,788	7578-3611
7579 Flood Control Drainage 55	153,070	153,070	1,414,172	1,261,102	1,261,102	7579-2340
7580 Flood Control Drainage 1010	(76,300)	(76,300)	792,911	869,211	869,211	7580-2310
7581 Flood Control Drainage 101A	(500)	(500)	802,105	802,605	802,605	7581-2340
7582 Flood Control Drainage 1010A	8,750	8,750	255,714	246,964	246,964	7582-2310
7583 Flood Control Drainage 16	(114,183)	(114,183)	1,030,157	1,144,340	1,144,340	7583-2340
7584 Flood Control Drainage 52D	2,500	2,500	18,439	15,939	15,939	7584-2340
7585 Flood Control Drainage 87	500	500	32,926	32,426	32,426	7585-2310
7586 Flood Control Drainage 88	0	0	22,136	22,136	22,136	7586-2310
7587 Flood Control Drainage 89	0	0	19,740	19,740	19,740	7587-2310
7588 Flood Control Drainage 22	1,200	1,200	114,765	113,565	113,565	7588-2340
7595 Flood Control Drainage 109	(500)	(500)	6,365	6,865	6,865	7595-2340
7597 Flood Control Drainage 47	(4,750)	(4,750)	145,701	150,451	150,451	7597-2310
<b>TOTAL FLOOD CONTROL</b>	<b>(4,371,710)</b>	<b>(4,371,710)</b>	<b>59,455,197</b>	<b>63,826,907</b>	<b>63,826,907</b>	
<b><u>STORM DRAINAGE DISTRICTS</u></b>						
7594 Zone #19	0	0	1,859	1,859	1,859	7594-2340
<b>TOTAL STORM DRAINAGE DISTRICTS</b>	<b>0</b>	<b>0</b>	<b>1,859</b>	<b>1,859</b>	<b>1,859</b>	

**SCHEDULE C**  
**RECOMMENDED VS. FINAL BUDGET**  
**FUND BALANCE CHANGES**  
**APPROPRIATION AND ESTIMATED REVENUE RECOMMENDATIONS**  
**FOR 2016-2017 FINAL BUDGET**

<u>DISTRICT</u>	<u>2016-2017</u> <u>RECOMMENDED</u> <u>BUDGET</u> <u>FUND</u> <u>BALANCE</u>	<u>2016-2017</u> <u>FINAL</u> <u>BUDGET</u> <u>FUND</u> <u>BALANCE</u>	<u>FINAL</u> <u>YEAR-END</u> <u>FUND</u> <u>BALANCE</u> <u>AVAILABLE</u>	<u>FUND</u> <u>BALANCE</u> <u>CHANGE</u>	<u>RECOMMENDED</u> <u>LINE ITEM CHANGES</u>	
					<u>AMOUNT</u>	<u>B/U-ACCT</u>
<b><u>STORMWATER UTILITY DISTRICTS</u></b>						
7484 CCC CFD 2007-1 Stormwater	6,500	6,500	24,882	18,382	18,382	7484-2340
7501 Stormwater Util A-1 Ant	102,617	102,617	114,173	11,556	11,556	7501-2310
7502 Stormwater Util A-2 Clyn	4,431	4,431	9,145	4,714	4,714	7502-2310
7503 Stormwater Util A-3 Conc	41,216	41,216	73,712	32,496	32,496	7503-2310
7504 Stormwater Util A-4 Danv	13,071	13,071	23,211	10,140	10,140	7504-2310
7507 Stormwater Util A-7 Laf	12,047	12,047	20,495	8,448	8,448	7507-2310
7508 Stormwater Util A-8 Mrtz	10,706	10,706	25,514	14,808	14,808	7508-2310
7509 Stormwater Util A-9 Mrga	14,371	14,371	25,553	11,182	11,182	7509-2310
7510 Stormwater Util A-10 Orin	15,902	15,902	24,237	8,335	8,335	7510-2310
7511 Stormwater Util A-11 Pinl	37,128	37,128	38,204	1,076	1,076	7511-2310
7512 Stormwater Util A-12 Pitt	76,640	76,640	89,293	12,653	12,653	7512-2310
7513 Stormwater Util A-13 PI H	15,297	15,297	21,819	6,522	6,522	7513-2310
7514 Stormwater Util A-14 S Pb	24,240	24,240	40,538	16,298	16,298	7514-2310
7515 Stormwater Util A-15 S Rm	31,583	31,583	36,154	4,571	4,571	7515-2310
7516 Stormwater Util A-16 W Ck	12,068	12,068	21,606	9,538	9,538	7516-2310
7517 Stormwater Util A-17 Co	49,150	49,150	293,484	244,334	244,334	7517-2310
7518 Stormwater Util A-18 Okly	19,888	19,888	25,888	6,000	6,000	7518-2310
7519 Stormwater Util Admin	2,767,135	2,767,135	3,051,376	284,241	284,241	7519-2310
7523 Stormwater Util A-19 Rich	33,347	33,347	80,373	47,026	47,026	7523-3611
7525 Stormwater Util A-5 El C	42,156	42,156	47,636	5,480	5,480	7525-2310
7533 Stormwater Util A-20 Brnt	26,719	26,719	138,591	111,872	111,872	7533-3611
7596 Stormwater Util A-6 Herc	16,079	16,079	39,392	23,313	23,313	7596-2310
<b>TOTAL STORMWATER UTILITY DISTRICTS</b>	<b>3,372,291</b>	<b>3,372,291</b>	<b>4,265,277</b>	<b>892,986</b>	<b>892,986</b>	
<b><u>SERVICE AREA-POLICE</u></b>						
7603 Area P-6 Zone 502	0	0	1,000	1,000	1,000	7603-3530
7605 Area P-6 Zone 1508	0	0	5,801	5,801	5,801	7605-3530
7606 Area P-6 Zone 1614	0	0	1,506	1,506	1,506	7606-3530
7607 Area P-6 Zone 1804	0	0	700	700	700	7607-3530
7608 Area P-6 Zone 2201	0	0	700	700	700	7608-3530
7609 Area P-6 Zone 501	0	0	1,000	1,000	1,000	7609-3530
7610 Area P-6 Zone 1613	0	0	700	700	700	7610-3530
7611 Area P-6 Zone 2200	0	0	700	700	700	7611-3530
7612 Area P-6 Zone 2502	0	0	1,506	1,506	1,506	7612-3530
7613 Area P-6 Zone 2801	0	0	700	700	700	7613-3530
7614 Area P-6 Zone 1609	0	0	700	700	700	7614-3530
7615 Area P-6 Zone 1610	0	0	1,565	1,565	1,565	7615-3530
7616 Area P-6 Zone 1611	0	0	700	700	700	7616-3530
7617 Area P-6 Zone 1612	0	0	700	700	700	7617-3530
7618 Area P-6 Zone 2501	0	0	700	700	700	7618-3530
7619 Area P-6 Zone 2800	0	0	700	700	700	7619-3530
7620 Area P-6 Zone 1514	0	0	158	158	158	7620-3530
7621 Area P-6 Zone 1101	0	0	700	700	700	7621-3530
7622 Area P-6 Zone 1803	0	0	700	700	700	7622-3530
7623 Area P-6 Zone 1700	0	0	1,000	1,000	1,000	7623-3530

**SCHEDULE C  
RECOMMENDED VS. FINAL BUDGET  
FUND BALANCE CHANGES  
APPROPRIATION AND ESTIMATED REVENUE RECOMMENDATIONS  
FOR 2016-2017 FINAL BUDGET**

Attachment D

DISTRICT	2016-2017	2016-2017	FINAL			
	RECOMMENDED	FINAL	YEAR-END			
	BUDGET	BUDGET	FUND	FUND	RECOMMENDED	
	FUND	FUND	BALANCE	BALANCE	LINE ITEM CHANGES	
	BALANCE	BALANCE	AVAILABLE	CHANGE	AMOUNT	B/U-ACCT
SERVICE AREA-POLICE CON'T						
7625 Area P-6 Zone 2903	0	0	929	929	929	7625-3530
7624 Area P-6 Zone 2000	0	0	2,101	2,101	2,101	7624-3530
7626 Area P-6 Zone 1505	0	0	1,942	1,942	1,942	7626-3530
7627 Area P-6 Zone 1506	0	0	700	700	700	7627-3530
7628 Area P-6 Zone 1001	0	0	700	700	700	7628-3530
7629 P-6 Central Admin Base	0	0	8,825,676	8,825,676	8,825,676	7629-2479
7630 Area P-6 Zone 1607	0	0	1,942	1,942	1,942	7630-3530
7631 Area P-6 Zone 1504	0	0	700	700	700	7631-3530
7632 Area P-6 Zone 2702	0	0	2,091	2,091	2,091	7632-3530
7633 Area P-6 Zone 1606	0	0	1,228	1,228	1,228	7633-3530
7634 Area P-6 Zone 1605	0	0	700	700	700	7634-3530
7636 Area P-6 Zone 1503	0	0	955	955	955	7636-3530
7637 Area P-6 Zone 400	0	0	1,252	1,252	1,252	7637-3530
7638 Area P-6 Zone 702	0	0	700	700	700	7638-3530
7639 Area P-6 Zone 1502	0	0	1,409	1,409	1,409	7639-3530
7640 Area P-6 Zone 3100	0	0	700	700	700	7640-3530
7641 Area P-6 Zone 2500	0	0	2,316	2,316	2,316	7641-3530
7642 Area P-6 Zone 701	0	0	1,094	1,094	1,094	7642-3530
7643 Area P-6 Zone 202	0	0	700	700	700	7643-3530
7644 Area P-6 Zone 1501	0	0	700	700	700	7644-3530
7645 Area P-6 Zone 1604	0	0	1,445	1,445	1,445	7645-3530
7646 Area P-6 Zone 1801	0	0	1,445	1,445	1,445	7646-3530
7647 Area P-6 Zone 2901	0	0	700	700	700	7647-3530
7648 Area P-6 Zone 1603	0	0	700	700	700	7648-3530
7649 Area P-6 Zone 1200	0	0	700	700	700	7649-3530
7650 Police SVC- Crockett Cogen	48,079	48,079	826,417	778,338	778,338	7650-2160
7652 Police Area 2 Danville	0	0	6,824	6,824	6,824	7652-2310
7653 Area P-2 Zone A, Blackhawk	66,555	66,555	706,382	639,827	639,827	7653-2479
7654 Area P-6 Zone 2902	0	0	1,573	1,573	1,573	7654-3530
7655 Area P-5, Roundhill Area	45,180	45,180	13,802	(31,378)	(31,378)	7655-3611
7656 Service Area PL6	178,990	178,990	2,320,483	2,141,493	2,141,493	7656-5011
7657 Area P-2 Zone B, Alamo	67,187	67,187	164,429	97,242	97,242	7657-2479
7658 Area P-6 Zone 206	0	0	700	700	700	7658-3530
7659 Area P-6 Zone 207	0	0	700	700	700	7659-3530
7661 Area P-6 Zone 200	0	0	700	700	700	7661-3530
7372 Area P-6 Zone 211	0	0	2,497	2,497	2,497	7372-3530
7671 Area P-6 Zone 209	0	0	2,250	2,250	2,250	7671-2479
7673 Area P-6 Zone 1005	0	0	700	700	700	7673-3530
7674 Area P-6 Zone P-7 201	0	0	1,000	1,000	1,000	7674-5016
7675 Area P-6 Zone 2700	0	0	1,472	1,472	1,472	7675-3530
7680 Area P-6 Zone 700	0	0	1,129	1,129	1,129	7680-3530
7681 Area P-6 Zone 1100	0	0	700	700	700	7681-3530
7682 Area P-6 Zone 1600	0	0	1,472	1,472	1,472	7682-3530
7683 Area P-6 Zone 2601	0	0	1,461	1,461	1,461	7683-3530

**SCHEDULE C  
RECOMMENDED VS. FINAL BUDGET  
FUND BALANCE CHANGES  
APPROPRIATION AND ESTIMATED REVENUE RECOMMENDATIONS  
FOR 2016-2017 FINAL BUDGET**

Attachment D

<u>DISTRICT</u>	2016-2017	2016-2017	FINAL			
	RECOMMENDED	FINAL	YEAR-END			
	BUDGET	BUDGET	FUND	FUND	RECOMMENDED	
	FUND	FUND	BALANCE	BALANCE	LINE ITEM CHANGES	
	<u>BALANCE</u>	<u>BALANCE</u>	<u>AVAILABLE</u>	<u>CHANGE</u>	<u>AMOUNT</u>	<u>B/U-ACCT</u>
<u>SERVICE AREA-POLICE CON'T</u>						
7684 Area P-6 Zone 500	0	0	1,000	1,000	1,000	7684-3530
7685 Area P-6 Zone 1000	0	0	700	700	700	7685-3530
7687 Area P-6 Zone 2900	0	0	700	700	700	7687-3530
7688 Area P-6 Zone 1006	0	0	700	700	700	7688-3530
7689 Area P-6 Zone 1601	0	0	1,502	1,502	1,502	7689-3530
7690 Area P-6 Zone 2300	0	0	1,461	1,461	1,461	7690-3530
7693 Area P-6 Zone 1602	0	0	700	700	700	7693-3530
7694 Area P-6 Zone 1800	0	0	700	700	700	7694-3530
7695 Area P-6 Zone 2600	0	0	1,468	1,468	1,468	7695-3530
7696 Area P-6 Zone 2701	0	0	1,370	1,370	1,370	7696-3530
7697 Area P-6 Zone 1500	0	0	307	307	307	7697-3530
7699 Area P-6 Zone 3000	0	0	700	700	700	7699-3530
7700 Area P-6 Zone 503	0	0	1,000	1,000	1,000	7700-3530
7701 Area P-6 Zone 3103	0	0	700	700	700	7701-3530
7703 Area P-6 Zone 900	0	0	2,027	2,027	2,027	7703-3530
7704 Area P-6 Zone 1509	0	0	1,754	1,754	1,754	7704-3530
7705 Area P-6 Zone 3101	0	0	2,019	2,019	2,019	7705-3530
7706 Area P-6 Zone 1615	0	0	1,491	1,491	1,491	7706-3530
7707 Area P-6 Zone 1511	0	0	2,279	2,279	2,279	7707-3530
7708 Area P-6 Zone 1510	0	0	700	700	700	7708-3530
7709 Area P-6 Zone 203	0	0	700	700	700	7709-3530
7714 Area P-6 Zone 1002	0	0	700	700	700	7714-3530
7715 Area P-6 Zone 2602	0	0	1,895	1,895	1,895	7715-3530
7716 Area P-6 Zone 204	0	0	2,794	2,794	2,794	7716-3530
7717 Area P-6 Zone 1003	0	0	701	701	701	7717-3530
7718 Area P-6 Zone 1201	0	0	2,225	2,225	2,225	7718-3530
7719 Area P-6 Zone 2203	0	0	1,000	1,000	1,000	7719-3530
7720 Area P-6 Zone 3001	0	0	1,000	1,000	1,000	7720-3530
7721 Area P-6 Zone 3102	0	0	1,366	1,366	1,366	7721-3530
7722 Area P-6 Zone 3104	0	0	700	700	700	7722-3530
7723 Area P-6 Zone 504	0	0	1,000	1,000	1,000	7723-3530
7724 Area P-6 Zone 2202	0	0	1,000	1,000	1,000	7724-3530
7725 Area P-6 Zone 205	0	0	893	893	893	7725-3530
7726 Area P-6 Zone 301	0	0	1,000	1,000	1,000	7726-3530
7727 Area P-6 Zone 1004	0	0	700	700	700	7727-3530
7728 Area P-6 Zone 2603	0	0	2,415	2,415	2,415	7728-3530
7746 Area P-6 Zone 3002	0	0	700	700	700	7746-3530
7747 Area P-6 Zone 3105	0	0	700	700	700	7747-3530
7748 Area P-6 Zone 3106	0	0	2,179	2,179	2,179	7748-3530
7749 Area P-6 Zone 3107	0	0	1,285	1,285	1,285	7749-3530
7745 Area P-6 Zone 0210	0	0	3,186	3,186	3,186	7745-3530
7734 Area P-6 Zone 1513	0	0	700	700	700	7734-3530
7741 Area P-6 Zone 2604	0	0	2,144	2,144	2,144	7741-3530



**SCHEDULE C**  
**RECOMMENDED VS. FINAL BUDGET**  
**FUND BALANCE CHANGES**  
**APPROPRIATION AND ESTIMATED REVENUE RECOMMENDATIONS**  
**FOR 2016-2017 FINAL BUDGET**

<u>DISTRICT</u>	<u>2016-2017</u> <u>RECOMMENDED</u> <u>BUDGET</u> <u>FUND</u> <u>BALANCE</u>	<u>2016-2017</u> <u>FINAL</u> <u>BUDGET</u> <u>FUND</u> <u>BALANCE</u>	<u>FINAL</u> <u>YEAR-END</u> <u>FUND</u> <u>BALANCE</u> <u>AVAILABLE</u>	<u>FUND</u> <u>BALANCE</u> <u>CHANGE</u>	<u>RECOMMENDED</u> <u>LINE ITEM CHANGES</u>	
					<u>AMOUNT</u>	<u>B/U-ACCT</u>
<b><u>SERVICE AREA-POLICE CON'T</u></b>						
7742 Area P-6 Zone 2605	0	0	1,000	1,000	1,000	7742-3530
7743 Area P-6 Zone 3003	0	0	2,725	2,725	2,725	7743-3530
7731 Area P-6 Zone 3108	0	0	1,018	1,018	1,018	7731-3530
7732 Area P-6 Zone 3109	0	0	1,642	1,642	1,642	7732-3530
7733 Area P-6 Zone 3110	0	0	1,122	1,122	1,122	7733-3530
7730 Area P-6 Zone 3112	0	0	700	700	700	7730-3530
7735 Area P-6 Zone 1512	0	0	700	700	700	7735-3530
7736 Area P-6 Zone 1608	0	0	741	741	741	7736-3530
7737 Area P-6 Zone 1616	0	0	700	700	700	7737-3530
7738 Area P-6 Zone 1802	0	0	26,356	26,356	26,356	7738-3530
<b>TOTAL SERVICE AREA-POLICE</b>	<b>405,991</b>	<b>405,991</b>	<b>13,021,117</b>	<b>12,615,126</b>	<b>12,615,126</b>	
<b><u>SERVICE AREA-DRAINAGE</u></b>						
7602 Area D-2, Walnut Creek	(9,000)	(9,000)	329,729	338,729	338,729	7602-2310
<b>TOTAL SERVICE AREA-DRAINAGE</b>	<b>(9,000)</b>	<b>(9,000)</b>	<b>329,729</b>	<b>338,729</b>	<b>338,729</b>	
<b><u>MISCELLANEOUS DISTRICTS</u></b>						
7771 Discovery Bay West Parking	23,937	23,937	23,976	39	39	7771-2479
7825 Contra Costa Water Agency	775,544	775,544	1,027,408	251,864	251,864	7825-2479
<b>TOTAL MISCELLANEOUS DISTRICTS</b>	<b>799,481</b>	<b>799,481</b>	<b>1,051,383</b>	<b>251,902</b>	<b>251,902</b>	
<b>TOTAL PUBLIC PROTECTION</b>	<b>6,619,885</b>	<b>6,619,885</b>	<b>105,499,453</b>	<b>98,879,568</b>	<b>98,879,568</b>	
<b><u>HEALTH AND SANITATION</u></b>						
<b><u>EMERGENCY MEDICAL SERVICES</u></b>						
7405 Area EM-1, Zone A	(25,978)	(25,978)	(0)	25,978	25,978	7405-2479
7406 Area EM-1, Zone B	241,969	241,969	4,716,339	4,474,370	4,474,370	7406-2479
<b>TOTAL EMERGENCY MEDICAL SERVICES</b>	<b>215,991</b>	<b>215,991</b>	<b>4,716,339</b>	<b>4,500,348</b>	<b>4,500,348</b>	
<b><u>SANITATION DISTRICTS</u></b>						
7365 District #6			(7,844)	(7,844)	(7,844)	7365-2479
<b>TOTAL SANITATION DISTRICTS</b>	<b>0</b>	<b>0</b>	<b>(7,844)</b>	<b>(7,844)</b>	<b>(7,844)</b>	
<b>TOTAL HEALTH AND SANITATION</b>	<b>215,991</b>	<b>215,991</b>	<b>4,708,495</b>	<b>4,492,504</b>	<b>4,492,504</b>	
<b><u>EDUCATION</u></b>						
<b><u>SERVICE AREA-LIBRARY</u></b>						
7702 Area LIB-2, El Sobrante	0	0	157,451	157,451	157,451	7702-3611
7710 Area LIB-10, Pinole	0	0	2,708	2,708	2,708	7710-3611
7712 Area LIB-12, Moraga	0	0	20,555	20,555	20,555	7712-3611
7713 Area LIB-13, Ygnacio	0	0	212,123	212,123	212,123	7713-3611
<b>TOTAL SERVICE AREA-LIBRARY</b>	<b>0</b>	<b>0</b>	<b>392,837</b>	<b>392,837</b>	<b>392,837</b>	
<b>TOTAL EDUCATION</b>	<b>0</b>	<b>0</b>	<b>392,837</b>	<b>392,837</b>	<b>392,837</b>	

**SCHEDULE C  
RECOMMENDED VS. FINAL BUDGET  
FUND BALANCE CHANGES  
APPROPRIATION AND ESTIMATED REVENUE RECOMMENDATIONS  
FOR 2016-2017 FINAL BUDGET**

<u>DISTRICT</u>	<u>2016-2017 RECOMMENDED BUDGET FUND BALANCE</u>	<u>2016-2017 FINAL BUDGET FUND BALANCE</u>	<u>FINAL YEAR-END FUND BALANCE AVAILABLE</u>	<u>FUND BALANCE CHANGE</u>	<u>RECOMMENDED LINE ITEM CHANGES AMOUNT</u>	<u>B/U-ACCT</u>
<b>PUBLIC WAYS AND FACILITIES</b>						
<b><u>SERVICE AREA-LIGHTING</u></b>						
7394 Area L-100, Countywide	4,801,747	4,801,747	5,393,933	592,186	592,186	7394-2479
7487 CCC CFD 2010-1 St Lightng	32,012	32,012	32,769	757	757	7487-5011
<b>TOTAL SERVICE AREA-LIGHTING</b>	<b>4,833,759</b>	<b>4,833,759</b>	<b>5,426,702</b>	<b>592,943</b>	<b>592,943</b>	
<b><u>SERVICE AREA-MISCELLANEOUS</u></b>						
7470 Area M-1, Delta Ferry	197	197	3,184	2,987	2,987	7470-2479
7475 Area M-29, Dougherty Valley	5,665,365	5,665,365	4,813,695	(851,670)	(851,670)	7475-2479
7476 Area M-31, PH BART	17,625	17,625	54,428	36,803	36,803	7476-2310
7480 CSA T-1 Danville	2,049,610	2,049,610	2,219,251	169,641	169,641	7480-2479
7485 No Rchmd Mtce CFD 2006-1	75,803	75,803	111,202	35,399	35,399	7485-2479
7486 Bart Trnsit VLG CFD 2008-1	209,439	209,439	219,508	10,069	10,069	7486-2479
7488 Area M-16, Clyde	11,696	11,696	10,078	(1,619)	(1,619)	7488-5011
7489 Area M-17, Montalvin Manor	150,791	150,791	185,351	34,560	34,560	7489-2310
7492 Area M-20, Rodeo	19,749	19,749	23,063	3,314	3,314	7492-2479
7496 Area M-23, Blackhawk	156,708	156,708	144,569	(12,139)	(12,139)	7496-3580
7499 Area M-30 Danville	3,844	3,844	7,154	3,310	3,310	7499-2479
<b>TOTAL SERVICE AREA-MISCELLANEOUS</b>	<b>8,360,827</b>	<b>8,360,827</b>	<b>7,791,482</b>	<b>(569,345)</b>	<b>(569,345)</b>	
<b><u>SERVICE AREA-ROAD MAINTENANCE</u></b>						
7494 Area RD-4, Bethel Island	93,004	93,004	98,022	5,018	5,018	7494-2479
<b>TOTAL SERVICE AREA-ROAD MAINTENANCE</b>	<b>93,004</b>	<b>93,004</b>	<b>98,022</b>	<b>5,018</b>	<b>5,018</b>	
<b>TOTAL PUBLIC WAYS AND FACILITIES</b>	<b>13,287,590</b>	<b>13,287,590</b>	<b>13,316,207</b>	<b>28,617</b>	<b>28,617</b>	
<b>RECREATION/CULTURAL SVCS</b>						
<b><u>SERVICE AREA-RECREATION</u></b>						
7757 Area R-9, El Sobrante	22,417	22,417	27,109	4,692	4,692	7757-2479
7758 Area R-7, Zone A Alamo	3,780,551	3,780,551	3,457,254	(323,297)	(323,297)	7758-4755
7770 Area R-10, Rodeo	584	584	24,437	23,853	23,853	7770-2479
<b>TOTAL SERVICE AREA-RECREATION</b>	<b>3,803,552</b>	<b>3,803,552</b>	<b>3,508,801</b>	<b>(294,751)</b>	<b>(294,751)</b>	
<b>TOTAL RECREATION/CULTURAL SVCS</b>	<b>3,803,552</b>	<b>3,803,552</b>	<b>3,508,801</b>	<b>(294,751)</b>	<b>(294,751)</b>	
<b>TOTAL COUNTY SPECIAL DISTRICTS</b>	<b>23,927,018</b>	<b>23,927,018</b>	<b>127,425,793</b>	<b>103,498,775</b>	<b>103,498,775</b>	



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: September 27, 2016

Subject: Approve the seventh extension of the Subdivision Agreement for subdivision SD06-09131, Bay Point area.

---

**RECOMMENDATION(S):**

ADOPT Resolution 2016/546 approving the seventh extension of the Subdivision Agreement for subdivision SD06-09131, for a project being developed by Jasraj Sing & Tomas Baluyut, as recommended by the Public Works Director, Bay Point area. (District V)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The terminal date of the Subdivision Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 90% of the work has been completed to date.) By granting an extension, the County will give the developer more time to complete his improvements and keeps the bond current.

**CONSEQUENCE OF NEGATIVE ACTION:**

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

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Jocelyn LaRocque, (925)  
313-2315

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

By: , Deputy

cc: J. LaRocque, Engineering Services, S. Reed, Design/Construction

ATTACHMENTS

Resolution No. 2016/546

SD06-09131 Subdivision

Agreement

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

Adopted this Resolution on 09/27/2016 by the following vote:

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



**Resolution No. 2016/546**

IN THE MATTER OF approving the seventh extension of the Subdivision Agreement for subdivision SD06-09131, for a project being developed by Jasraj Sing & Tomas Baluyut, as recommended by the Public Works Director, Bay Point area. (District V)

WHEREAS the Public Works Director, having recommended that she be authorized to execute the seventh agreement extension which extends the subdivision agreement between Jasraj Sing & Tomas Baluyut and the County for construction of certain improvements in subdivision SD06-09131, Bay Point area, through May 15, 2017.

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 90%

ANTICIPATED DATE OF COMPLETION: May 2017

BOND NO.: 761783S

Date: April 9, 2007

REASON FOR EXTENSION: Due to construction finances, subdivider needs more time to complete work.

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

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

**ATTESTED: September 27, 2016**

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

**Contact: Jocelyn LaRocque, (925) 313-2315**

By: , Deputy

**cc:** J. LaRocque, Engineering Services, S. Reed, Design/Construction

CONTRA COSTA

# CONTRA COSTA COUNTY

2016 AUG 31 AM 11:18

## SUBDIVISION AGREEMENT EXTENSION

APPLICATION & PERMIT CENTER

**Development Number:** SD06-09131

**Developer:** Jasraj Singh & Tomas Baluyut

**Original Agreement Date:** May 15, 2007

**Seventh Extension New Termination Date:** May 15, ~~2016~~ 2017

### Improvement Security

**SURETY :** Developers Surety and Indemnity

**BOND No.:** 761783S

**Date:** April 9, 2007

**Security Type**

**Security Amount**

**Cash:**

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

**SURETY BOND:**

**\$ 59,900.00** (Performance)

**\$ 30,450.00** (Labor & Material)

The Developer and the Surety desire this Agreement to be extended through the above date; and Contra Costa County and said Surety hereby agree thereto and acknowledge same.

Dated: \_\_\_\_\_

Dated: August 15th, 2016

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

See attached loose  
notarial certificate  
7 m - 8/23/16

Developer's Signature(s)

Printed

Developer's Signature(s)

Printed

RECOMMENDED FOR APPROVAL:

By: \_\_\_\_\_  
(Engineering Services Division)

Address

Developers Surety and Indemnity

Surety or Financial Institution

17771 Cowan, Suite C, Irvine, CA 92614

Address

Attorney in Facts Signature

Mike Herranen

Printed

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

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board



STATE OF Arizona

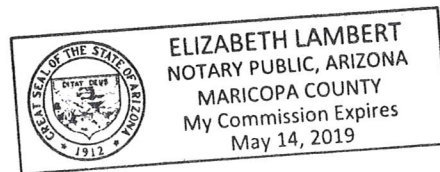
COUNTY OF Maricopa

On 08/15/2016, before me, Elizabeth Lambert, Notary  
(here insert name and title of the officer), personally appeared Mike Herranen, Attorney-In-Fact

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature EL Lambert (SEAL)



*This area for Official Notarial Seal*

### OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

#### CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL  
☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

#### SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

#### DESCRIPTION OF ATTACHED DOCUMENT

TITLE OF TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

**LIMITED POWER OF ATTORNEY FOR  
DEVELOPERS SURETY AND INDEMNITY COMPANY  
INDEMNITY COMPANY OF CALIFORNIA  
PO Box 19725, IRVINE, CA 92623 (949) 263-3300**

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each severally, but not jointly, hereby make, constitute and appoint: **MICHAEL HERRANEN**

**AUTHORITY LIMITED TO: BOND NUMBER 761783S  
BOND AMOUNT \$59,900.00**

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this November 21, 2013.

By: *Daniel Young*  
Daniel Young, Senior Vice-President

By: *Mark J. Lansdon*  
Mark J. Lansdon, Vice-President

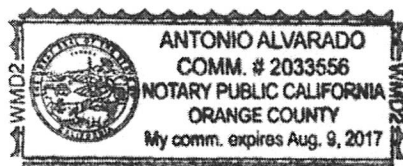
State of California  
County of Orange

On November 21, 2013 before me, \_\_\_\_\_  
Date

Antonio Alvarado, Notary Public

Here Insert Name and Title of the Officer

personally appeared \_\_\_\_\_  
Daniel Young and Mark J. Lansdon  
Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature \_\_\_\_\_

*Antonio Alvarado*

Antonio Alvarado, Notary Public

**CERTIFICATE**

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 15th day of August, 2016.

By: *Cassie J. Berrisford*  
Cassie J. Berrisford, Assistant Secretary

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

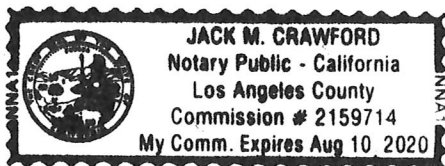
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
 County of Los Angeles )  
 On Aug 22, 2016 before me, JACK M CRAWFORD, Notary Public  
 Date Here Insert Name and Title of the Officer  
 personally appeared JASRAJ SINGH  
 Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



Signature [Signature]  
 Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

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

**Description of Attached Document** SUBDIVISION

Title or Type of Document: Assignment Extension Document Date: Aug 15, 2016  
 Number of Pages: 1 Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: JASRAJ SINGH  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☒ Individual ☐ Attorney in Fact  
☐ Trustee ☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_  
 Signer Is Representing: SELF

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



# California All-Purpose Certificate of Acknowledgment

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

State of California

County of CONTRA COSTA

S.S.

On 8/29/2016 before me, Jason Jeremy Notary Public

Name of Notary Public, Title

personally appeared TAMAS YABOT JR Buloyot

Name of Signer (1)

Name of Signer (2)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



Seal

Signature of Notary Public

## OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

## Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of SUBDIVISION

AGREEMENT EXTENSION

containing 1 pages, and dated 5/17/2007

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)  
☐ Attorney-in-fact  
☐ Corporate Officer(s)

\_\_\_\_\_  
Title(s)

- ☐ Guardian/Conservator  
☐ Partner - Limited/General  
☐ Trustee(s)  
☐ Other: \_\_\_\_\_

representing: \_\_\_\_\_

Name(s) of Person(s) Entity(ies) Signer(s) Representing

## Additional Information

### Method of Signer Identification

Proved to me on the basis of satisfactory evidence:

- ☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:

Page # \_\_\_\_\_ Entry # \_\_\_\_\_

Notary contact: \_\_\_\_\_

Other

- ☐ Additional Signer ☐ Signer(s) Thumbprints(s)

☐ \_\_\_\_\_



Contra  
Costa  
County

To: Board of Supervisors

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

Date: September 27, 2016

Subject: ADOPTION OF Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Three Creeks Parkway Restoration Project (CEQA)

---

**RECOMMENDATION(S):**

1. CONSIDER the proposed Initial Study/Mitigated Negative Declaration for the Three Creeks Parkway Restoration Project (Project) together with any comments received during the public review process.
2. FIND on the basis of the whole record, including the proposed Initial Study/Mitigated Negative Declaration and any comments received and staff responses thereto, that there is no substantial evidence that the Project will have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the independent judgment and analysis of the lead agency, Contra Costa County Flood Control & Water Conservation District (District).
3. ADOPT the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project.
4. SPECIFY that the Contra Costa County Conservation and Development Director is the custodian of the documents and other material that constitute the record of proceedings upon which the Board's decision is based, and that the record of proceedings is located at 30 Muir Road, Martinez, CA.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Claudia Gemberling  
(925) 313-2192

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

By: , Deputy

cc:

### FISCAL IMPACT:

The cost of the environmental review of this Project totaled approximately \$80,000, to be funded by the District with Flood Control Zone 1 funds (50 percent) and American Rivers, Inc. (American Rivers) State Grant Funds and other private funds (50 percent).

### BACKGROUND:

During the 1960s and early 1970s, approximately 7.9 miles of Marsh Creek from the mouth of the creek near Big Break in Oakley to the Dry Creek confluence in Brentwood were channelized into steep earthen and armored trapezoidal flood control channels to provide conveyance capacity and riparian vegetation was removed. The channel was designed for a 50-year flood event in an agricultural setting. Over the last 25 years, the population of the lower Marsh Creek watershed has increased dramatically, transforming the watershed into a dense residential and commercial area, covering open space with impervious surfaces, substantially increasing runoff volume and degrading water quality. The District has constructed detention basins on each of Marsh Creek's three tributaries (Dry, Deer, and Sand Creeks) to accommodate increased run-off associated with urban development and impervious surfaces; however, urban and agricultural runoff remain issues.

The Three Creeks Parkway Project described in the Initial Study/Mitigated Negative Declaration (IS/MND) combines two separate projects. The first is the Three Creeks Restoration Project on Marsh Creek, in which the District partnered with American Rivers to apply for and receive \$744,404 in DWR Urban Streams Grant Funding. The project limits of that project are from the Union Pacific Railroad tracks crossing of Marsh Creek to its confluence with Sand Creek (identified as the Lower Reach in the IS/MND). The second project is Phase 2 of the Marsh Creek Widening Project. The District is the sponsor of that project, and American Rivers is providing the District with State grant funds and other private funds to provide a multi-benefit flood control project. The project limits of the second project are from Sand Creek to just upstream of Dainty Avenue (identified as the Middle and Upper Reaches in the IS/MND). The two projects were addressed together because they are adjacent and cumulative impacts needed to be considered.

The objective of the Project would be to improve the ecological functions of Marsh Creek by reducing flow velocities, creating wetlands, and restoring riparian habitat. Although much of the watershed has been constrained by urbanization, the Project site is the longest remaining stretch of undeveloped land along the creek where there is still an opportunity to widen the channel and provide a more natural creek system that is connected to the historic floodplain that can be enjoyed by trail users.

The District, in partnership with American Rivers, developed the proposal to widen and restore approximately 4,000 linear feet of the Marsh Creek channel identified in three reaches (Upper, Middle, Lower) from Dainty Avenue downstream to the Union Pacific Railroad tracks with a floodplain (or in sections where more constrained, floodplain benches) that will meet the District's standards for 100-year flood protection and restore native riparian vegetation and enhance habitats and recreation. The segment just upstream of Dainty Avenue was widened in 2000 by the District. Native riparian vegetation may also be planted in this segment as part of the Project to provide a continuous riparian corridor with the existing riparian vegetation upstream of this segment.

The Project calls for widening the creek above the low-flow channel, but some areas will require work within the low-flow channel in order to create in-stream habitat using boulders and large woody debris, and to place rock slope protection. The Project would also include slight relocation of the existing East Bay Regional Park District Marsh Creek trail along the top of the eastern bank to the new top of grade from Dainty Avenue to Sand Creek (in the Upper and Middle Reaches). The trail from Sand Creek to the railroad tracks (in the Lower Reach) is to be relocated by the adjacent subdivision developer (Pulte) separately from the Project; however, the Project would reduce the gradient of the steep slope between the creek and the trail in this reach and would provide a new unpaved foot trail within the floodplain benches. The relocated trail section within the Upper Reach would be routed to pass under the Central Boulevard bridge.

Approval of the Project is not recommended at this time because the District and American Rivers have not yet completed their negotiation of a separate agreement that outlines their respective obligations under the DWR



completed their negotiation of a separate agreement that outlines their respective obligations under the DWR Urban Streams grant agreement (for the Three Creeks Restoration Project) and terms and conditions that will apply to the work that American Rivers plans to perform. Without this agreement, the District would become obligated to perform the obligations of both parties under the grant agreement upon approval of the Project. District staff also anticipates the need for an agreement that sets forth the District's and American Rivers' roles under the Marsh Creek Widening Phase 2 Project. District staff anticipates returning to the Board in February 2017 to seek Board approval of the agreement(s) and the Project.

CONSEQUENCE OF NEGATIVE ACTION:

If the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are not adopted before October 1, 2016, American Rivers may lose conditionally-approved grant funding for the Project.

ATTACHMENTS

CEQA

PUBLIC WORKS DEPARTMENT  
INITIAL STUDY OF  
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: WO# 7562-6D8176  
CP# 16-39

PROJECT NAME: Three Creeks Parkway Restoration

PREPARED BY: Claudia Gemberling, Environmental Analyst II

DATE: July 13, 2016

APPROVED BY: \_\_\_\_\_

DATE: 7-28-16

**RECOMMENDATIONS:**

☐ Categorical Exemption: 1530x [Class x]

☐ Negative Declaration

☐ Environmental Impact Report Required

☒ Mitigated Negative Declaration

The project will not have a significant effect on the environment. The recommendation is based on the following: There is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment pursuant to Section 15063(b)(2) of the CEQA guidelines.

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

USGS Quad Sheet: <u>Brentwood</u>	Base Map Sheet #: <u>L25</u>	Parcel #: <u>Numerous – listed in CEQA document</u>
-----------------------------------	------------------------------	---

**GENERAL CONSIDERATIONS:**

1. **Location:** The project is located in Brentwood [Figure 1].

2. **Project Description:** The Contra Costa County Flood Control and Water Conservation District (District) in partnership with American Rivers, a non-profit organization that protects rivers and restores damaged rivers, proposes to widen approximately 4,000 linear feet of the Marsh Creek channel in three reaches from Dainty Avenue downstream to an existing pedestrian bridge just before the Union Pacific Railroad (UPRR) tracks with a floodplain (or sections where more constrained, floodplain benches) which will meet the District's standards for 100-year flood protection, and restoring native riparian vegetation that will enhance habitat and recreation (Figure 2). The segment just upstream of Dainty Avenue (Phase I) was widened in 2000 by the District; native riparian vegetation may also be planted in this section as part of this project to provide a continuous riparian corridor with the existing riparian vegetation upstream of this segment and the proposed restoration of the project.

The Upper Reach (Dainty Avenue to Deer Creek) is approximately 1,600 linear feet and is constrained by development on both sides. Channel widening in this section would include excavation of both banks to construct a number of floodplain benches on both sides of the creek of varying widths with slopes ranging from 2:1 to 3:1 (Figure 4). The benches would be located above the ordinary high water mark (OHWM).

The Middle Reach (Deer Creek to Sand Creek) is approximately 800 feet in length and is also constrained. Channel widening would involve excavation of both banks to construct a number of floodplain benches of varying widths with slopes ranging from 2:1 to 3:1 (Figure 6). The benches would be located above the OHWM.

The Lower Reach (Sand Creek to UPRR) is approximately 1,600 feet in length and is less constrained and will include more substantial widening of the channel. The project would excavate the east bank of the creek down to the OHWM to create a 10 to 40-foot wide floodplain with slopes typically 3:1 or less (Figure 8).

The new floodplain would be graded to inundate during the storm events with the low-flow channel continuing to function much as it does today. Some work in the low-flow channel may be performed and would include creation of instream habitat in the low-flow channel by placing boulders and large woody debris, and the placement of rock slope protection in some portions of the low-flow channel in the Upper

# Contra Costa County

and Middle Reaches.

The project will also include relocation of the existing East Bay Regional Park District (EBRPD) Marsh Creek trail to the new top of the eastern bank along the Middle and Upper Reaches whereas the trail in the Lower Reach will be relocated by the adjacent subdivision developer (Pulte) which is not part of this project however the project would reduce the gradient of the steep slope between the creek and the trail and would provide a new unpaved foot trail within the floodplain benches. The relocated trail section within the Upper Reach would be routed to pass under the Central Avenue road bridge.

Throughout the project reach, minor modifications to sewer manholes may be required to accommodate changes in ground elevation. In all cases, grading will be performed around manholes so that potential spills from manholes would initially drain away from Marsh Creek.

The project falls within the HCP service area and the project development team has been coordinating with the Habitat Conservancy staff.

Construction is anticipated to begin summer 2017. Excavation and grading activities would occur during the dry season (July to October) with plant restoration occurring afterwards (November to December) and may take up to two construction seasons to complete.

Real Property transactions, including right-of-way acquisition and temporary construction easements for access and staging areas and permanent easements for access and maintenance may be necessary in support of this project.

General Plan Conformance may be necessary from the City of Brentwood.

3. Does it appear that any feature of the project will generate significant public concern?

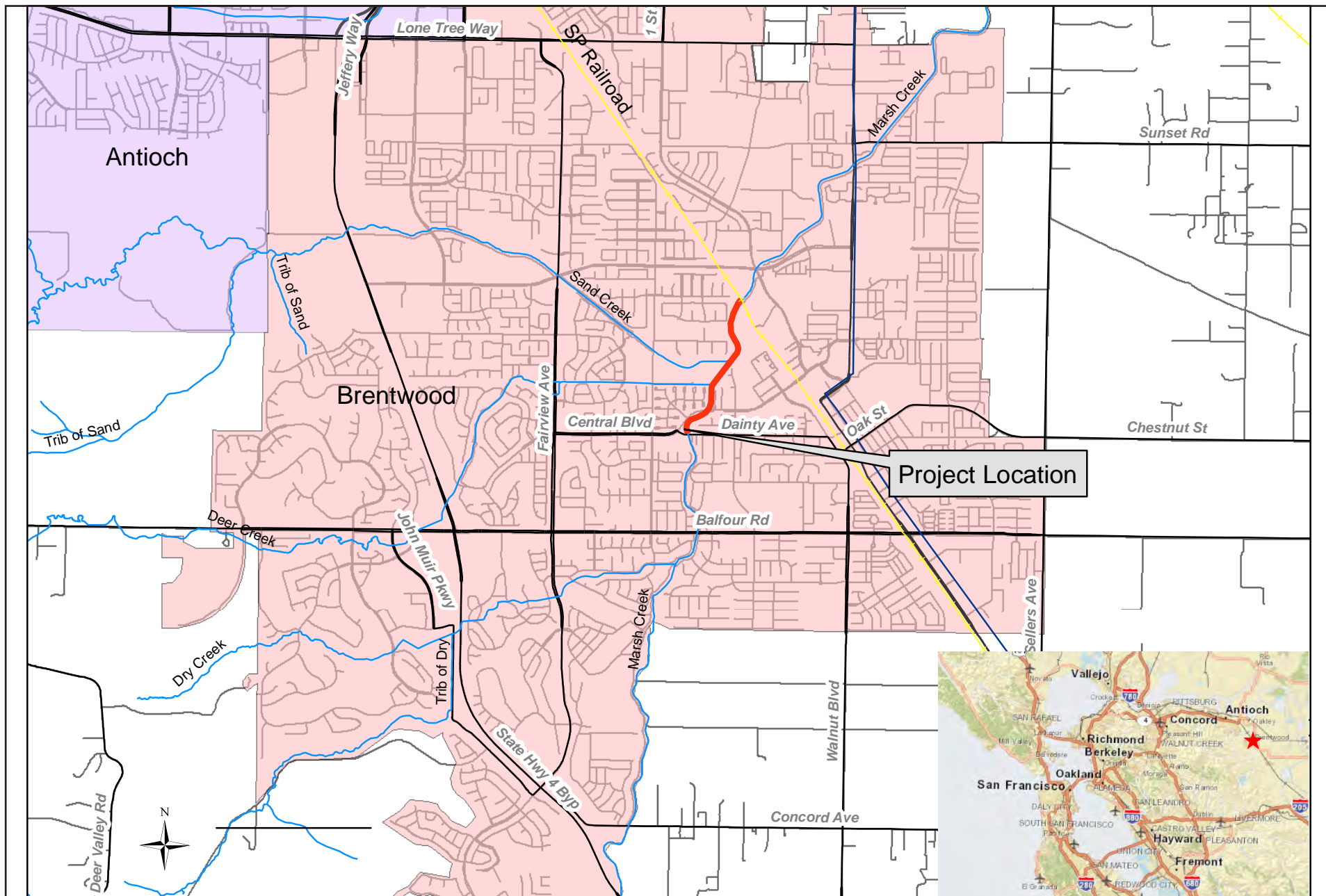
☐ Yes ☒ No ☐ maybe (Nature of concern):

4. Will the project require approval or permits by other than a County agency?

☒ Yes ☐ No

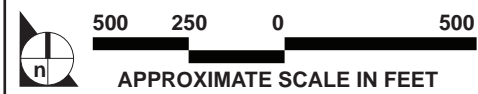
5. Is the project within the Sphere of Influence of any city? No





SOURCE: Restoration Design Group, Inc. 2016

FIGURE 1



SOURCE: Restoration Design Group, Inc. 2016





Looking upstream to Central Ave. Bridge



Looking upstream to Deer Creek in flood



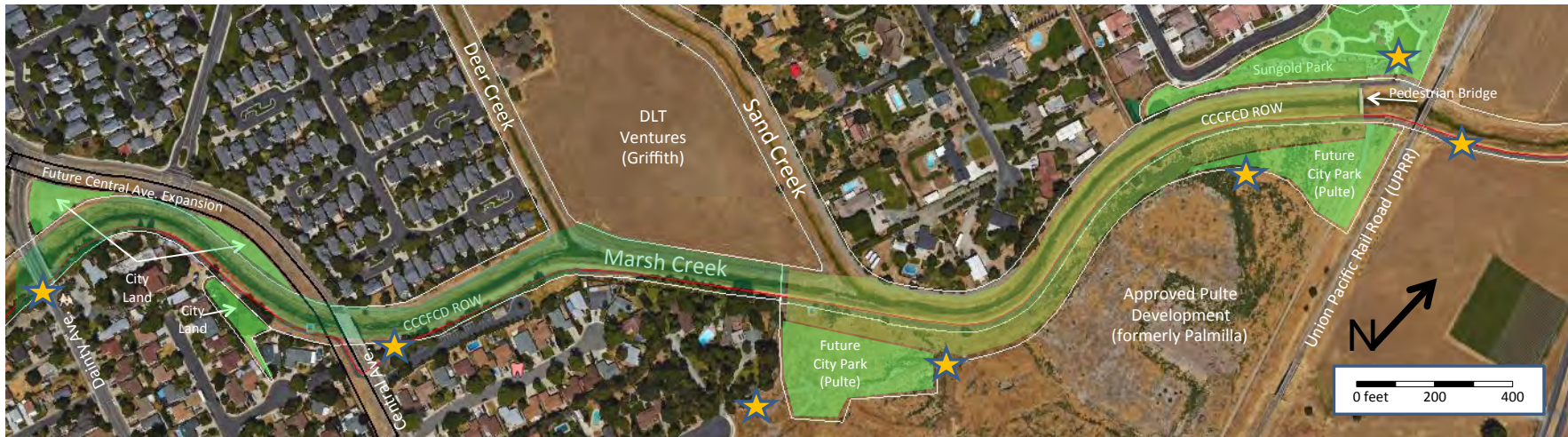
Looking upstream to Deer Creek in drought



Looking upstream at Sand Creek confluence








Looking upstream from UPRR tracks



The Three Creeks Parkway Restoration Project will restore native vegetation and functional floodplains along 4,000 linear feet of Marsh Creek. American Rivers and the Friends of Marsh Creek Watershed are working with the Contra Costa County Flood Control District (CCCFCD) to integrate the project into adjacent city parks, the Pulte development (formerly Palmilla) and potentially DLT Ventures (Griffith).

## Legend

-  EBRPD Regional Trail
-  Lower Parkway
-  Upper Parkway
-  City Land/Parks
-  Public Access Points



Looking upstream from Central Ave. bridge



Looking upstream from Pedestrian bridge



Looking up from Sand Creek confluence



Looking down from Sand Creek confluence

SOURCE: American Rivers, 2016

FIGURE 3



# THREE CREEKS PARKWAY RESTORATION PROJECT

## Initial Study and Proposed Mitigated Negative Declaration

The following Initial Study has been prepared in compliance with CEQA.

### **Prepared By:**

Impact Sciences  
505 14th Street, Suite 1230  
Oakland, CA 94612

### **Prepared For:**

Contra Costa County Flood Control and Water Conservation District  
255 Glacier Drive  
Martinez, CA 94553  
Contact: Claudia Gemberling  
(925) 313-2192

and

American Rivers  
2150 Allston Way, Suite 320  
Berkeley, CA 94704  
Contact: Sarah Beamish  
(415) 203-3766

County Project No.: 16-39

**August 2016**

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## INTRODUCTION

### Initial Study

The Three Creeks Parkway Restoration project is a proposal put forth by the Contra Costa County Flood Control and Water Conservation District and American Rivers to widen and improve an approximately 4,000-foot section of Marsh Creek in the City of Brentwood to provide additional flood conveyance capacity and restore riparian habitat along the creek. Pursuant to Section 15063 of the *State CEQA Guidelines* (Title 14, California Code of Regulations, Sections 15000 et seq.), an Initial Study is a preliminary environmental analysis that is used by the lead agency (the public agency principally responsible for approving or carrying out the proposed project) as a basis for determining what level of environmental review is appropriate (Environmental Impact Report, a Mitigated Negative Declaration, or a Negative Declaration) for a project. The *State CEQA Guidelines* require that an Initial Study contain a project description, description of environmental setting, identification of environmental effects by checklist or other similar form, explanation of environmental effects, discussion of mitigation for significant environmental effects, evaluation of the project's consistency with existing, applicable land use controls, and the name of persons who prepared the study.

As shown in the Determination in Section IV of this document, and based on the analysis contained in this Initial Study, it has been determined that the proposed project would not result in any significant impacts that cannot be mitigated to less than significant levels. Therefore, preparation of a Mitigated Negative Declaration is appropriate.

### Public and Agency Review

This Initial Study/Proposed Mitigated Negative Declaration will be circulated for public and agency review from August 3, 2016 to September 2, 2016. Copies of this document are available for review at the Contra Costa County Public Works Department at the address below and the County's webpage: <http://www.co.contra-costa.ca.us/4629/Public-Notices>.

Comments on this Initial Study/Proposed Mitigated Negative Declaration must be received by 5:00 PM on September 2, 2016 and can be sent by regular mail or emailed to:

Contra Costa County Flood Control and Water Conservation District  
255 Glacier Drive  
Martinez, CA 94553  
Attn: Claudia Gemberling  
[claudia.gemberling@pw.cccounty.us](mailto:claudia.gemberling@pw.cccounty.us)

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## Organization of the Initial Study

This Initial Study is organized into the following sections.

**Section 1 – Project Information:** provides summary background information about the proposed project, including project location, lead agency, and contact information.

**Section 2 – Project Description:** includes a description of the proposed project, including the need for the project, the project's objectives, and the elements included in the project.

**Section 3 – Environmental Factors Potentially Affected:** identifies what environmental resources, if any, would involve at least one significant or potentially significant impact that cannot be reduced to a less than significant level.

**Section 4 – Determination:** indicates whether impacts associated with the proposed project would be significant, and what, if any, additional environmental documentation is required.

**Section 5 – Evaluation of Environmental Impacts:** contains the Environmental Checklist form for each resource and presents an explanation of all checklist answers. The checklist is used to assist in evaluating the potential environmental impacts of the proposed project and determining which impacts, if any, need to be further evaluated in an EIR.

**Section 6 – References:** lists documents used in the preparation of this document.

**Section 7 – Initial Study Preparers:** lists the names of individuals involved in the preparation of this document.

Technical studies prepared for this Initial Study are available at Contra Costa County Public Works Department at the address noted above.

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## 1. PROJECT INFORMATION

Project title:

Three Creeks Parkway Restoration Project

Lead agency name and address:

Contra Costa County Department of Development and Conservation  
30 Muir Road  
Martinez, CA 94553

Contact person and phone number:

Claudia Gemberling  
(925) 313-2192  
Claudia.Gemberling@pw.cccounty.us

Project location:

Marsh Creek between just north of Dainty Avenue bridge and south of Union Pacific Railroad bridge in the City of Brentwood

Project sponsor's name and address:

Contra Costa County Flood Control and Water Conservation District  
255 Glacier Drive  
Martinez, CA 94553

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## 2. PROJECT DESCRIPTION

### 2.1 Introduction

The Three Creeks Parkway Restoration project is a multi-benefit flood control and creek restoration project proposed by the Contra Costa County Flood Control and Water Conservation District (“District” or “CCCFCWCD”) and American Rivers, a non-profit organization that protects wild rivers and restores damaged rivers. It proposes to improve flood conveyance capacity and restore native vegetation along an approximately 4,000 linear feet section of Marsh Creek located in Brentwood by widening the channel with a floodplain (or sections where more constrained, floodplain benches) and planting with native vegetation. When implementation is complete, the project site will include up to 1.0 acres of frequently inundated floodplain (seasonal wetland), 1.87 acres of woody riparian vegetation, and 1.87 acres of grasslands and native scrub. The project will also enhance habitat and recreation within the watershed.

In addition to the District and American Rivers, other project partners include the City of Brentwood, the Friends of Marsh Creek Watershed (FOMCW), East Contra Costa County Habitat Conservancy (ECCCCHC), and East Bay Regional Park District (EBRPD).

### 2.2 Project Location and Surrounding Land Uses

Marsh Creek watershed, located about 35 miles east of San Francisco, is uniquely situated between the Bay-Delta and the Diablo Range, providing an important ecological corridor in a burgeoning urban area. Marsh Creek flows 30 river miles from the eastern slope of Mount Diablo State Park in central Contra Costa County to the San Joaquin Delta at Big Break in Oakley. Major tributaries to Marsh Creek include Dry, Deer, and Sand Creeks. Through the existing EBRPD park facilities and trails, Marsh Creek also provides a cultural and physical connection to the Delta, allowing East County residents to walk and bike from Big Break and its aquatic recreation facilities, through Oakley to downtown Brentwood. Thus, Marsh Creek provides one of the longest, non-motorized pathways in Contra Costa County.

The project site is located along Marsh Creek in the City of Brentwood (**Figure 1**). The upper/southern limit of the project is just north of Dainty Avenue Bridge while the lower/northern limit is the pedestrian bridge across Marsh Creek about 175 feet south of the Union Pacific Railroad (UPRR) tracks. Marsh Creek trail, a regional trail owned by EBRPD is located on the east bank of Marsh Creek within the project area. As shown in **Figure 2**, the project is divided into three reaches:

#### *Upper Reach*

Upper Reach is the upper 1,600 linear-foot section of the creek from near Dainty Avenue Bridge up to Deer Creek confluence.

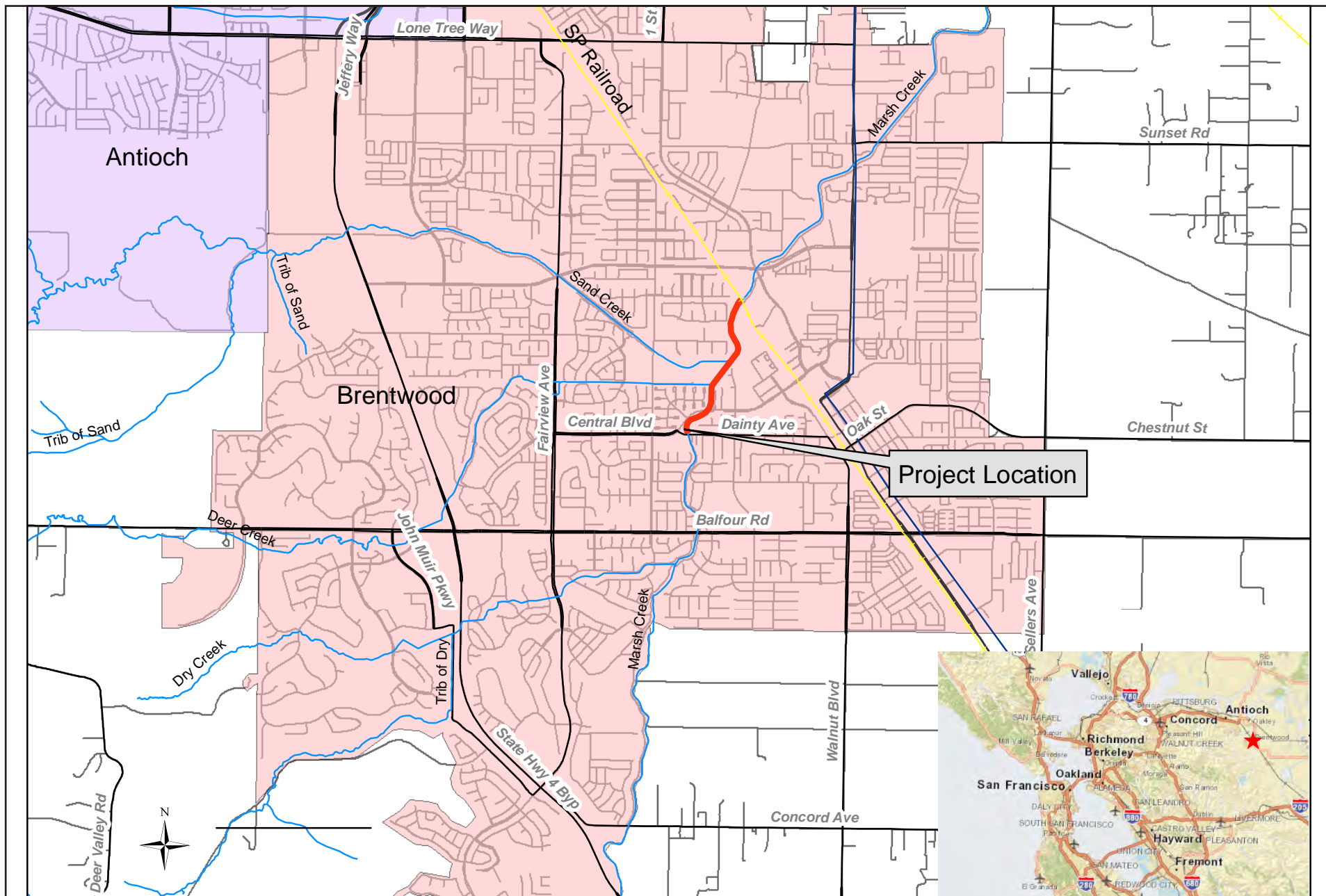
The area to the east and west of the Upper Reach is developed with residential neighborhoods (**Figure 3**).<sup>1</sup> A vacant 0.4-acre City-owned parcel is located on the east side of the Upper Reach just

---

<sup>1</sup> Future parks shown in **Figure 3** are not part of the proposed project and will not be analyzed in this Initial Study. CEQA analysis of the future City parks were conducted by adjacent development properties.

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SOURCE: Restoration Design Group, Inc. 2016

FIGURE 1

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SOURCE: Restoration Design Group, Inc. 2016

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Looking upstream to Central Ave. Bridge



Looking upstream to Deer Creek in flood



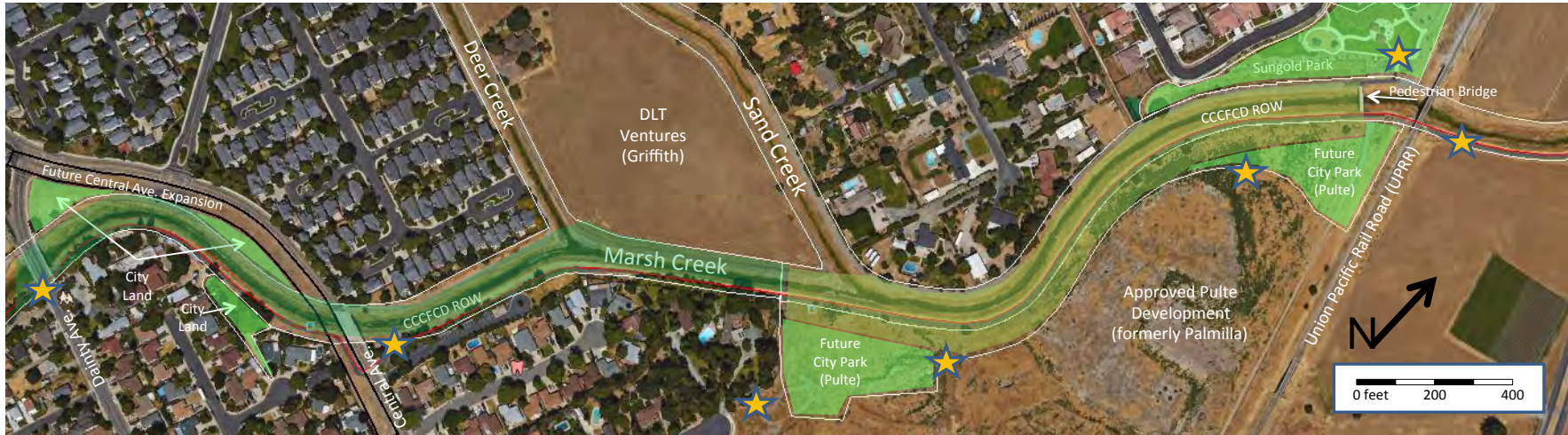
Looking upstream to Deer Creek in drought



Looking upstream at Sand Creek confluence








Looking upstream from UPRR tracks



The Three Creeks Parkway Restoration Project will restore native vegetation and functional floodplains along 4,000 linear feet of Marsh Creek. American Rivers and the Friends of Marsh Creek Watershed are working with the Contra Costa County Flood Control District (CCCFCD) to integrate the project into adjacent city parks, the Pulte development (formerly Palmilla) and potentially DLT Ventures (Griffith).

## Legend

-  EBRPD Regional Trail
-  Lower Parkway
-  Upper Parkway
-  City Land/Parks
-  Public Access Points



Looking upstream from Central Ave. bridge



Looking upstream from Pedestrian bridge



Looking up from Sand Creek confluence



Looking down from Sand Creek confluence

SOURCE: American Rivers, 2016

FIGURE 3

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south of Central Boulevard. Willow Wood School/Dainty Center (Preschool-7<sup>th</sup> grade/infant care) is located to the east of the Upper Reach between Central Boulevard and Dainty Avenue. There is a vacant strip of land to the west between the creek and Central Boulevard owned by the District and City of Brentwood. Residential neighborhoods are present to the west of Central Boulevard and Marsh Creek up to Deer Creek (**Figure 3**).

### ***Middle Reach***

Middle Reach is the 800 linear-foot section of the creek between Deer Creek confluence and just south of Sand Creek confluence.

Lands to the east of the Middle Reach are developed with residential subdivisions whereas the land to the west (Griffith parcel) is undeveloped at this time (**Figure 3**).

### ***Lower Reach***

Lower Reach is the 1,600 linear-foot section of the creek from just south of the Sand Creek confluence to the pedestrian bridge (**Figure 3**).

Lands to the east of the Lower Reach are undeveloped at this time although a linear city park is planned adjacent to the creek and the remaining area is the site of the approved Pulte residential subdivision (formally known as Palmilla subdivision). Single-family homes (Carmel Estates) and a city park (Sungold Park) are located to the west of the Lower Reach.

## **2.3 Project Need and Objectives**

During the 1960s and early 1970s, approximately 7.9 miles of Marsh Creek from the mouth of the creek near Big Break on San Joaquin Delta in Oakley to the Dry Creek confluence in Brentwood were channelized into earthen and armored trapezoidal flood control channels. To provide conveyance capacity, the flood control channel was designed with steep banks, all riparian vegetation along the channel was removed, and the earthen channel was vegetated with non-native grasses. The channel was designed for a 50-year flood event in an agricultural setting.

Since the flood control channel was constructed, the upper watershed has remained mostly protected parklands and open space, but the lower watershed has urbanized rapidly. Over the last 25 years, the population of the Marsh Creek watershed has increased six fold. This development has transformed the watershed into a dense residential and commercial area, covering open space with impervious surfaces, substantially increasing runoff volume and degrading water quality. The District has constructed detention basins on each of Marsh Creek's three tributaries (Dry, Deer, and Sand Creeks) to accommodate increased run-off associated with urban development and impervious surfaces; however, urban and agricultural runoff remain issues.

An Engineer's Report prepared by the District in January 1990 identified the need to widen 7,000 feet of Marsh Creek to reduce flooding in the lower portion of the watershed. Based on the report, the District prepared a plan to widen the creek in three phases, with Phase I involving creek widening from Summer Circle to near Dainty Avenue Bridge, Phase II ("Upper Reach") involving widening from near Dainty Avenue Bridge to Deer Creek confluence, and Phase III ("Middle Reach") widening the creek between Deer Creek and Sand Creek. In March 1990 the "Draft Environmental Impact Report for the Marsh Creek

Watershed, Regional Drainage Plan” was published and a Final EIR was subsequently approved. Following this approval, Phase I was completed in 2000, which included the installation of a new concrete culvert at Dainty Avenue and creek widening that was almost entirely on the east bank.

Downstream of Phase I, Marsh Creek does not meet the District’s standards for flood protection, exposing adjacent homes and businesses to flood risk. When looking at the capacity within the channel the District requirement for containment is controlled by the 50-year water surface elevation level (WSEL) plus freeboard or the 100-year WSEL, whichever one is higher. District analysis indicates that for the channel downstream of Phase I project, the 50-year WSEL plus freeboard will be greater than the 100-year WSEL and dictates the channel design. The project will widen the downstream sections of the creek so that the 100-year storm water surface elevation level and the 50-year storm plus WSEL would be contained within the creek channel.

Both the channelization that was implemented in the 1960s and early 1970s and the removal of riparian vegetation for flood management have limited the ecological functions of the creek. These factors have severely limited habitat complexity, structure, shade, riparian inputs, and floodplain wetlands. High velocities during annual peak flow events, which are exacerbated by increased peak run-off from newly urbanized surfaces, presumably flush most of the egg and larval stages of aquatic species downstream. Poor water quality from urban run-off is made worse by the lack of wetlands, shade, and microbial activity. Relatively high temperatures combined with low dissolved oxygen levels have caused four major fish kills on Marsh Creek over the last nine years. The combination of fish kills and poor habitat complexity limits the productivity, diversity, and resilience of the creek ecosystem. The project proposes to improve the ecological functions of the creek by reducing flow velocities, creating wetlands, and restoring riparian habitat. Although much of the watershed has been constrained by urbanization, the Three Creeks Parkway Restoration project site is the longest remaining stretch of undeveloped land along the creek where there is still an opportunity to widen the channel and provide a more natural creek system that is connected to the historic floodplain.

Lastly, the project would improve recreational amenities. Currently the Marsh Creek Trail located along the east bank of Marsh Creek passes through a primarily treeless stretch of land. With the restoration of riparian vegetation along the creek banks, the project would provide areas where trail users can stop in the shade and enjoy the beauty of the creek which will improve the experience of the trail users.

## 2.4 Project Components

This project is an innovative non-structural approach to flood management and habitat restoration. Instead of trying to control the creek in a narrow zone with levees and floodwalls, it focuses on giving the creek more room to safely convey flood waters while also providing habitat for aquatic and terrestrial species. **Table 1** below presents basic information about the project. Details of the project components follow the table.

**Table 1**  
**Project Data**

Element	Upper Reach	Middle Reach	Lower Reach
Length	1,600 feet	800 feet	1,600 feet
Total Area Disturbed	2.1 acres	1.0 acre	4.25 acres
Soil Excavation	5,500 cu yards	3,500 cu yards	15,000 cu yards
Floodplain or bench width	3-15 feet	3-15 feet	10-30 feet
Bench slopes to top of bank	2:1 or 3:1	2:1 or 3:1	3:1 or less typical, 2:1 max.
Temporary Staging/Access Areas <sup>1</sup>	Within creek parcels (017-17C-004, 017-20C-XXX) or adjacent City-owned parcel (017-210-004, 017-201-038, 017-260-080, 017-280-113) <sup>2</sup>	Within creek parcel (017-17C-004) or adjacent parcel (017-110-011) <sup>2</sup>	Within creek parcels (017-17C-004) or adjacent private parcels (017-170-008, 017-170-007)
Permanent Access/Maintenance Easements <sup>1</sup>	017-260-080 017-280-113 017-201-038 017-210-029	017-110-011	017-170-007 017-170-008

<sup>1</sup> Some or all of the non-County-owned parcels would potentially require a temporary construction easement for access and staging and/or permanent easement for access and/or maintenance.

<sup>2</sup> Parcel numbers and ownership information shown on **Figures 4, 6, and 8**.

#### **2.4.1 Channel Widening**

The main function of expanding the channel is to create enough conveyance capacity to allow for the planting of woody riparian vegetation (trees) while also safely conveying large flood flows. The project would increase the cross-sectional area of the stream channel by excavating 24,000 cubic yards (5,500 for upper, 3,500 for middle, and 15,000 for lower reach,) of earth along approximately 4,000 linear feet of both banks of Marsh Creek to create new floodplain.

##### ***Upper Reach***

As noted earlier, the Upper Reach is approximately 1,600 feet of the channel between just north of Dainty Avenue bridge and Deer Creek confluence. The reach is constrained by development on both sides and channel widening in this section would include excavation of both banks to construct a number of floodplain benches on both sides of the creek of varying widths with slopes ranging from 2:1 to 3:1 (**Figure 4**). The benches would be located above the ordinary high water mark (OHWM). The construction of the floodplain benches would satisfy the District's freeboard requirements for an earthen

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SOURCE: Restoration Design Group, Inc. 2016

FIGURE 4

channel. **Figure 5** presents existing and modified creek cross-sections for this reach.

Once the benches are constructed, permanent slope protection such as erosion control matting or other biotechnical methods would be installed on all benches and slopes for slope stabilization and to prevent long-term effects of erosion. The selected erosion control material would provide soil stabilization and promote vegetation growth.

Widening the channel cross-section is expected to decrease velocities and erosion potential. However, detailed hydraulic modeling that will be completed to inform the final design may indicate that some bank armoring is necessary where the expanded channel will taper down to the existing channel at the downstream project boundary. In one location along the Upper Reach, the project would require a retaining wall along approximately 250 feet on the left (west) bank due to the presence of Central Boulevard in Brentwood that will extend approximately 5 feet above ground. The retaining wall would rise from the back of the floodplain and would not touch the low flow channel. The project also includes replacement and repair of grouted rock at the Deer Creek confluence.

### ***Middle Reach***

The Middle Reach, which is about 800 feet in length, would be widened along the west bank as part of the proposed project. As the Middle Reach is also constrained, channel widening would involve excavation of both banks to construct a number of floodplain benches of varying widths as shown in **Figure 6**, with slopes ranging from 2:1 to 3:1. The benches would be located above the OHWM. The construction of the floodplain benches would satisfy the District's freeboard requirements for an earthen channel. **Figure 7** presents existing and modified creek cross-sections for this reach.

### ***Lower Reach***

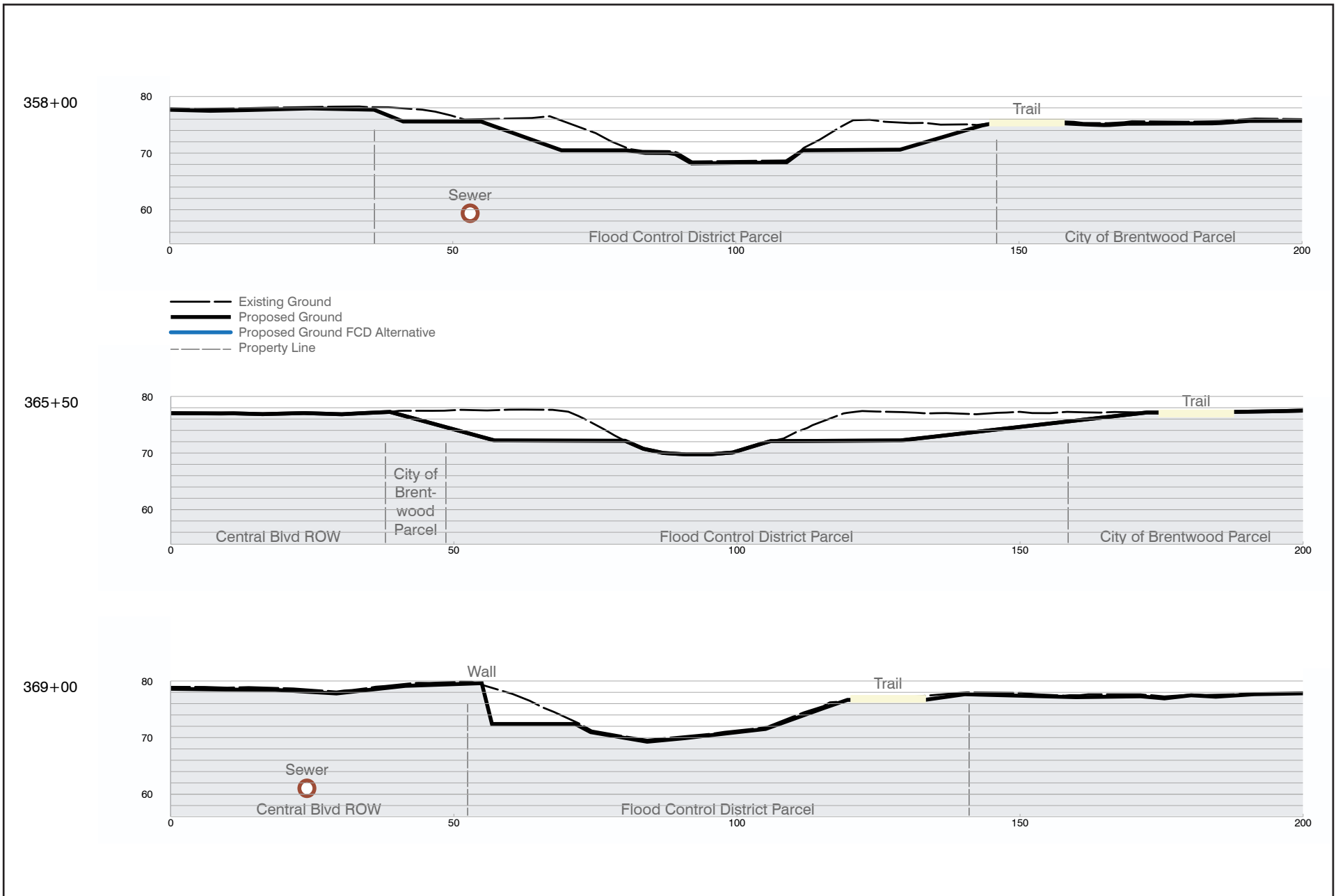
The Lower Reach, which is about 1,600 feet in length, is less constrained, and more substantial widening of the channel is planned for this area. The project would excavate the east bank of the creek down to the OHWM to create a 10 to 40-foot wide floodplain with slopes typically 3:1 or less, but never more than 2:1 (**Figure 8**). **Figure 7** presents existing and modified creek cross-sections for this reach. If bank protection is necessary at some locations, the project would use biotechnical methods or large rocks to create an aesthetically pleasing bank.

Although erosion is currently not a problem, the project would reduce the potential for erosion by lowering water stage, reducing the velocity by widening the cross-sectional velocity of the channel, and establishing native riparian vegetation where compatible with the flood management objectives. To prevent weathering and erosion of slopes, permanent slope protection in the form of erosion control matting, armor, biotechnical methods, or appropriate ground cover would be installed, and the material would provide soil stabilization and promote vegetation growth.

## **2.4.2 Low-Flow Channel**

The existing low-flow channel within project limits is engineered with rock grade control structures and banks. The existing, engineered channel has proven stable over the last 40 years and the rock grade





SOURCE: Restoration Design Group, Inc. 2016

FIGURE 5

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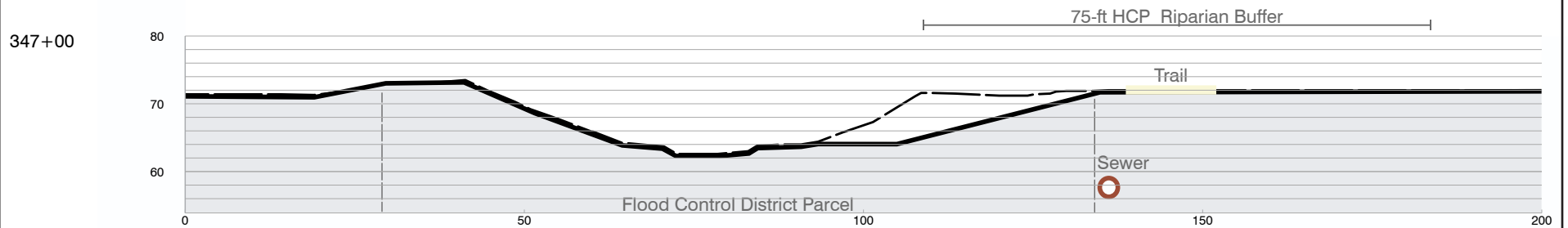
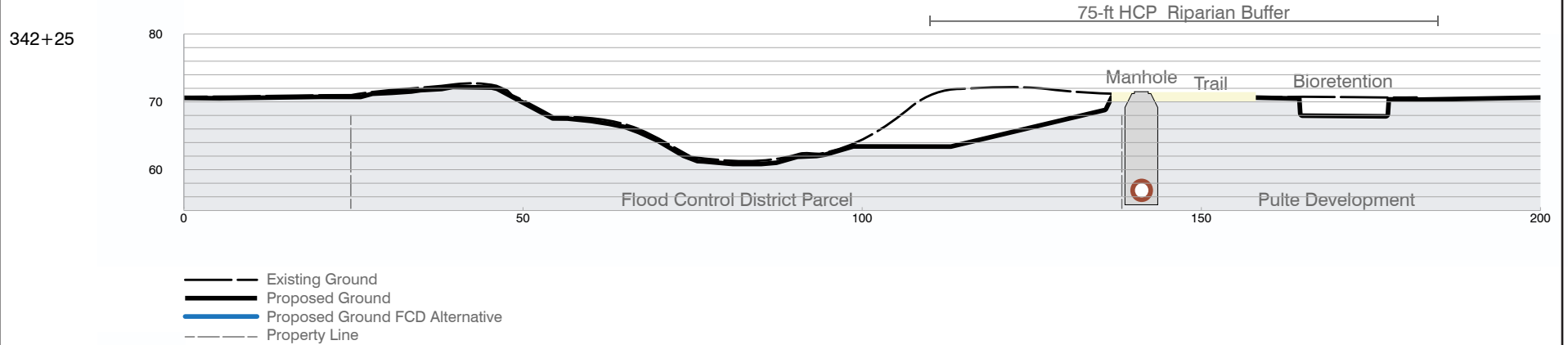


SOURCE: Restoration Design Group, Inc. 2016

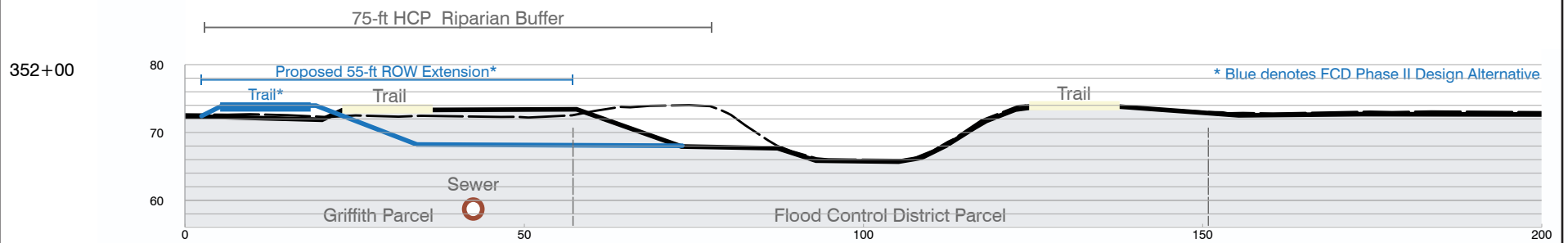
FIGURE 6

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## Lower Reach



## Middle Reach

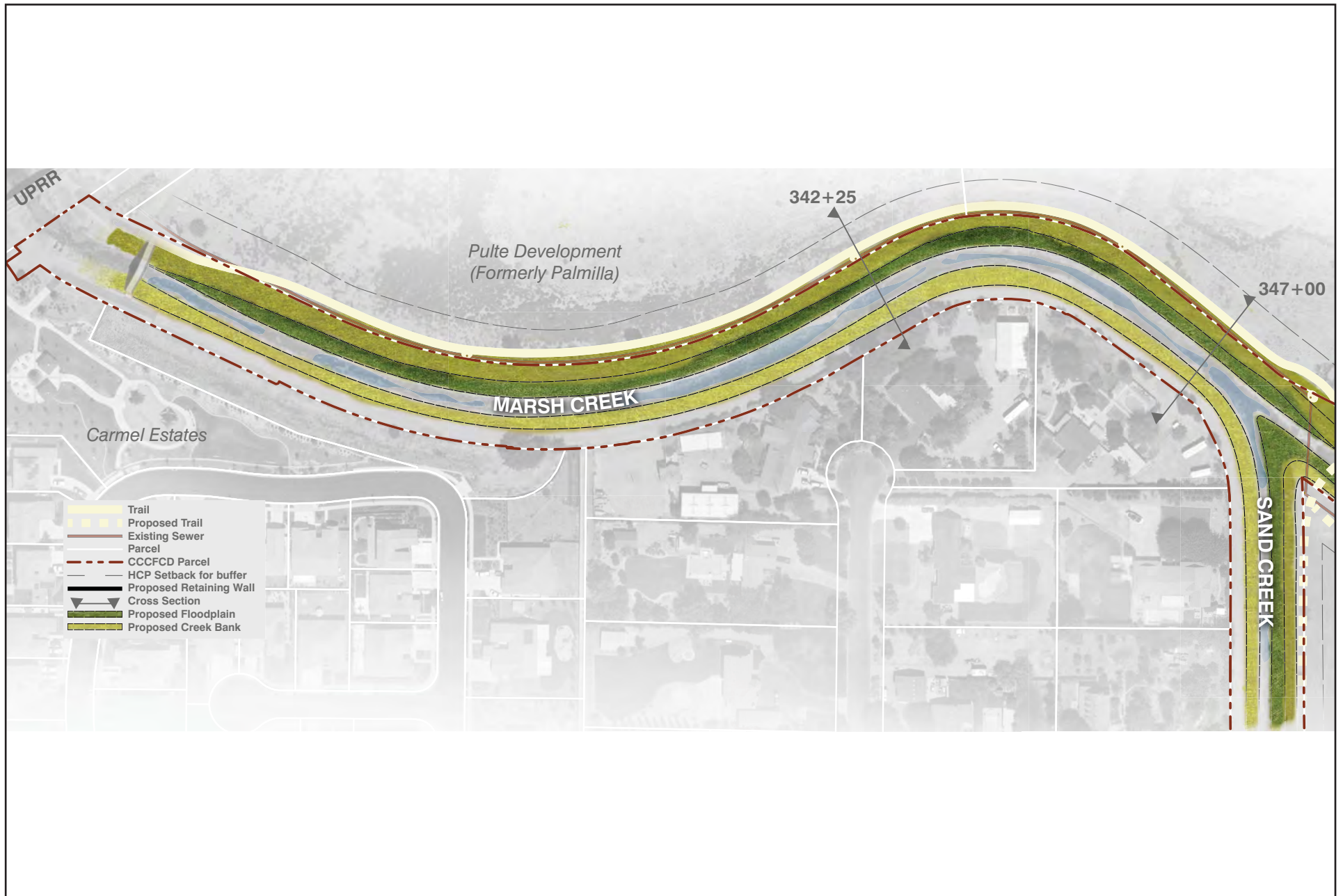


SOURCE: Restoration Design Group, Inc. 2016

FIGURE 7

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SOURCE: Restoration Design Group, Inc. 2016

FIGURE 8

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control structures create a sequence of pools and riffles that provide some habitat for aquatic species. The excavation for floodplain widening typically will not touch the low-flow channel below the OHWM. The new floodplain would be graded to inundate during the storm events with the low-flow channel continuing to function much as it does today. Some work in the low-flow channel may be performed and would include creation of instream habitat in the low-flow channel by placing boulders and large woody debris, and the placement of rock slope protection in some portions of the low-flow channel in the Upper and Middle Reaches.

#### **2.4.3 Sewer Line Relocation**

A City of Brentwood sewer main is located on the west side of the Upper Reach (as shown in **Figures 4 and 5**). For most of the length, the sewer is within the Central Boulevard right of way. However, a portion of this sewer is located within one of the District's parcels where flood control improvements would be constructed. The sewer line is over 15 feet deep, at least 4 feet below the flow line of the creek. As the sewer line is below the maximum depth of excavation, it would not be relocated.

Near Sand Creek confluence in the Middle and Lower Reach, the sewer main crosses under the creek and continues north along the east bank of the Lower Reach. In the Lower Reach, the sewer line is located within the area that would be excavated to create the right (east) bank floodplain. The sewer line would most likely not be relocated to the east on the Pulte residential subdivision project site. The City of Brentwood has requested that the floodplain widening be stopped short of the existing sewer alignment so it does not need to be relocated. Throughout the project reach, minor modifications to sewer manholes may be required to accommodate changes in ground elevation. In all cases, grading will be performed around manholes so that potential spills from manholes would initially drain away from Marsh Creek.

#### **2.4.4 Establishment of Wetlands**

The newly created flood benches and floodplain would be inundated when flows in the creek rise during typical storm events that recur nearly annually. The floodplain and benches would be expected to be inundated frequently enough that they will support wetlands. The project would create approximately 3.6 acres of frequently inundated floodplain (seasonal wetland). However, to minimize mosquito breeding in the aquatic environment, floodplain and benches would be sloped at two percent to drain flood flows back to the creek and prevent ponding that would allow mosquitoes to breed.

#### **2.4.5 Revegetation Activities**

Where possible, existing trees along the creek would be protected and retained. Following the construction of channel widening activities, depending on location, the project area would be planted with native wetland forbs, grasses, shrubs, and trees. Riparian trees would be planted along the banks and would include valley oak, sycamore, live oak, blue oak, box elder, buckeye, cottonwood, and willow. Slopes and banks would be planted with grassland and scrub species, which would include creeping wild rye (*Leymus triticoides*), California brome (*Bromus carinatus*), purple needlegrass (*Nassella pulchra, deawned*), dense-flowered lupine (*Lupinus microcarpus* var. *densiflorus*), mugwort (*Artemisia douglasiana*), common fiddleneck (*Amsinchkia menziesii* var. *intermedia*), elegant clarkia (*Clarkia unguiculata*), and California poppy (*Eschscholzia californica*). Areas of the floodplain would be planted with seasonal wetland species that will include, but not be limited to, creek clover (*Trifolium obtusiflorum*), Baltic rush (*Juncus balticus*), and deer sedge (*Carex praegracilis*).

In 2000, the District completed Phase I widening of Marsh Creek from Dainty Avenue upstream to approximately Summer Circle (**Figure 2**). While additional widening of this segment is not proposed for this project due to constraints from the adjacent subdivisions, native shrubs and trees may be planted to provide a continuous riparian corridor with the existing riparian vegetation upstream of this segment and the proposed restoration of the project.

#### **2.4.6 Recreational Improvements**

The project would enhance opportunities for strolling, hiking, and biking along Marsh Creek. Marsh Creek trail would be relocated to the new top of the eastern bank along Upper and Middle Reach as part of the proposed project. The relocated trail section within the Upper Reach would be routed to pass under the Central Avenue road bridge. The trail section along the eastern bank of the Lower Reach would be relocated by the Pulte developer and this trail relocation is not within the scope of this project. However, the project would reduce the gradient of the steep slope between the creek and the trail and would provide a new unpaved foot trail within the created floodplain. Pervious pavement is being considered for use on the relocated trail. The City of Brentwood Parks, Trails, and Recreation Master Plan (2002) shows a future pedestrian bridge connecting the current Marsh Creek Regional Trail to the Griffith (DLT Ventures) property in the Middle Reach that would allow people to safely access and cross the creek as well as access possible future trails along Sand Creek and/or Deer Creek. These components are not part of this project. The City of Brentwood will be updating its Master Plan and the location of these features may be adjusted appropriately.

The lower 1,600 feet of the project would be integrated into a new linear city park, which would provide passive recreation amenities and native landscaping consistent with creek restoration. Consistent with the standards of the East Contra Costa County Habitat Conservation Plan (HCP), native trees would be planted within a 60-linear foot band of two city parks, along the west side of Pulte development within the HCP/NCCP required setback to provide a natural buffer adjacent to the creek. The project would also include interpretive signs along Marsh Creek.

### **2.5 Project Construction Activities and Schedule**

The proposed project has most of the permanent right of way required for construction. However, as indicated in **Table 1**, temporary construction easements or small permanent takes may be needed from the City of Brentwood and other property owners in order to access adjacent parcels during construction. Construction is anticipated to begin summer 2017. Excavation and grading activities would occur during the dry season (July to October) with plant restoration occurring afterwards (November to December) and may take up to two construction seasons to complete.

#### **2.5.1 Upper Reach**

Grading and earthmoving activities along the Upper Reach would take place over a period of approximately 2 weeks during the dry season. Construction equipment to be used would include tractors, backhoes, excavators, graders, and dump trucks. Staging for the Upper Reach portion of the project would be within the District-owned parcels or on a City-owned parcel to the east of the creek south of Central Boulevard. Approximately 5,500 cubic yards of soil excavated for channel expansion would require disposal. The excavated materials would be temporarily stored in the staging area and later removed for use on other nearby land development projects or would be off-hauled to the Dutch

Slough project site in Oakley where it would be used as fill. Other construction activities along this reach would include revegetation and planting, as well as the relocation of the regional trail.

### **2.5.2 Middle Reach**

Grading and earthmoving activities along the Middle Reach would also take place over a period of approximately 1 to 2 weeks during the dry season. Construction equipment to be used would include tractors, backhoes, excavators, graders, and dump trucks. Staging for the Middle Reach portion of the project would take place on the District-owned parcels that contain the Middle Reach of the creek. Approximately 3,500 cubic yards of spoils excavated for channel expansion would require disposal. Similar to the Upper Reach, the excavated materials would be temporarily stored in the staging area and later removed for use on other nearby land development projects or would be off-hauled to the Dutch Slough project site where it would be used as fill. Other construction activities along this reach would include revegetation and planting, as well as the relocation of the regional trail.

### **2.5.3 Lower Reach**

Construction of the Lower Reach improvements would take place over a period of approximately 4 weeks during the dry season. Staging for the Lower Reach portion of the project would take place on the District-owned parcels containing the creek or the adjacent vacant private land parcel. Construction equipment to be used would include tractors, backhoes, excavators, graders, and dump trucks. Approximately 11,000 cubic yards of spoils excavated for channel expansion would require disposal, with the remainder of the excavated materials (4,000 cubic yards) used on site. Similar to the other two reaches, the excavated materials would be temporarily stored in the staging area and later removed for use on other nearby land development projects or would be off-hauled to the Dutch Slough project site where it would be used as fill. Other construction activities along this reach would include revegetation and planting.

## **2.6 Long Term Maintenance**

Following the construction of the proposed improvements, the project area would be maintained by the District, with EBRPD responsible for continued maintenance of the regional trail.

## **2.7 Permits and Approvals Required**

In addition to review and approval of the proposed project by the District pursuant to CEQA, the proposed project will also require the following permits and approvals for implementation:

- Clean Water Act (CWA) Section 404 Permit from the U.S. Army Corps of Engineers for construction in the Waters of the U.S.
- CWA Section 401 Certification from the Central Valley Regional Water Quality Control Board
- Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife
- EBRPD Encroachment Permit
- District Encroachment Permit
- City of Brentwood Grading Permit

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### 3. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forestry Resources                      | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources, including Tribal Cultural Resources | <input type="checkbox"/> Geology / Soils                    |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials                           | <input type="checkbox"/> Hydrology / Water Quality          |
| <input type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources                                       | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population / Housing     | <input type="checkbox"/> Public Services   | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems                             | <input type="checkbox"/> Mandatory Findings of Significance |

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#### 4. DETERMINATION

On the basis of this initial evaluation:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project COULD have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.



Lead Agency Representative  
Contra Costa County Department of Conservation and Development

8-2-16

DATE

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## 5. EVALUATION OF ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist that have been checked “Less Than Significant Impact” or “No Impact” indicate that, upon evaluation, the District on behalf of the Contra Costa County Department of Conservation and Development has determined that the proposed project could not have a significant adverse environmental effect relating to that issue. For items that have been checked “Less Than Significant with Mitigation Incorporated,” the District has determined that the proposed project would not have a significant adverse environmental effect as the mitigation measures presented in this Initial Study would be implemented as part of the project. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

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## 5.1 Aesthetics

### 5.1.1 Background

The project is located in a rapidly urbanizing area of eastern Contra Costa County, in the City of Brentwood. At the present time, the creek is a trapezoidal flood control channel with practically no riparian vegetation. The earthen channel is steep sloped and planted with non-native grasses. A narrow band of ruderal freshwater marsh habitat is present along the base of the channel banks. Marsh Creek Trail is located on top of the eastern bank of the creek. Residential subdivisions are present on both sides of the creek for most of the project's length. A vacant City-owned parcel is located on the east side of the Upper Reach just south of Central Boulevard and another city park (Sungold Park) is present on the west side of the Lower Reach. A linear park is planned adjacent to the east side of the Lower Reach. A residential subdivision project (Pulte) is approved for the area east of the Lower Reach.

### 5.1.2 Environmental Checklist and Discussion

AESTHETICS		Potentially Significant Impact	Less than Significant with Project- level Mitigation	Less than Significant Impact	No Impact
Would the project...					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### DISCUSSION:

##### *Project*

- a. A scenic vista is defined as a publicly accessible viewpoint that provides expansive views of a highly valued landscape. Although public views of the Upper Reach are available from Dainty Avenue and Central Boulevard, the views are generally not expansive and would not be considered a scenic vista. Expansive views of the creek and the broader landscape are available from Sungold Park to the west of the Lower Reach and from the EBPRD regional trail, especially in the area of the Middle and Lower Reaches. The implementation of the proposed project would change these views by widening the floodplain and planting riparian vegetation along the creek.

However, this change would not adversely affect the scenic views in the area but would in fact enhance the views by adding trees and other riparian vegetation along the creek banks. The impact would be *less than significant*.

- b.** There is no state designated scenic route in the immediate vicinity of the proposed project. However, some trees will be removed but the project will be restored with native riparian trees and understory vegetation. Therefore, the project impact would be *less than significant*.
- c.** The proposed project would excavate both banks of the creek, widen the channel, and restore the area by planting native plant species and riparian trees. During construction, the project area would appear disturbed and a small number of existing trees would be removed when the creek banks are excavated. However the duration of construction would be short and once the construction is completed, new trees and other native plants appropriate to the project area would be planted. Once the new plantings are established, the visual character and quality of the creek corridor would improve relative to current conditions. Impacts of the proposed project on the visual character of the project site and its surroundings would be *less than significant*.
- d.** The project does not include the installation of any temporary or permanent lighting. Construction work would be completed during daytime hours and no lighting would be required. Therefore implementation of the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. There would be *no impact*.

## 5.2 Agricultural and Forestry Resources

### 5.2.1 Background

The project is located in Contra Costa County. The Farmland Mapping and Monitoring Program (FMMP) identifies the project site as Urban and Built-Up Land<sup>2</sup> (California Department of Conservation 2014).

The project site is bordered on the east by residential subdivisions, a vacant City-owned parcel, two planned parks, Willow Wood School/Dainty Center, and an approved residential subdivision. To the west, the project site is bordered by residential subdivisions and a city park. The land between Deer Creek and Sand Creek to the west of the Middle Reach is presently undeveloped land planned for future residential subdivision development (City of Brentwood General Plan 2014). All lands adjacent to the creek are designated Urban and Built-Up land by the FMMP.

### 5.2.2 Environmental Checklist and Discussion

AGRICULTURAL AND FORESTRY RESOURCES				
Would the project...	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>2</sup> Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

- e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? ☐ ☐ ☐ ☒
- 

## DISCUSSION:

- a. The project site is designated as Urban and Built-up Land by the FMMP. As a result, implementation of the proposed project would not result in the conversion of land designated either as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. There would be *no impact*.
- b. The project site is not under a Williamson Act contract and is not zone for agricultural use. There would be *no impact* from the implementation of the project on land under a Williamson Act contract and/or zoned for agricultural use.
- c, d. Timberland is defined in PRC Section 4526 as “land designated by the board<sup>3</sup> as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.” The project site contains no mapped timberland, and there would be *no impact* from implementation of the proposed project.

Forest land is defined in PRC Section 12220(g) as “land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.” The project site does not contain any forest lands. Therefore, implementation of the proposed project would not result in the loss of or conversion of forest land to non-forest use. There would be *no impact*.

- e. The project would not involve any land use changes that could indirectly lead to the conversion of Important Farmland or forest lands to other uses. Furthermore, as discussed above, most of the parcels near the project site are developed with residential subdivisions, and those properties that are currently undeveloped are designated Urban and Built-Up Land by the FMMP. There would be *no impact*.

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<sup>3</sup> Board of Forestry and Fire Protection

## 5.3 Air Quality

### 5.3.1 Background

The project area is subject to air quality planning programs developed in response to both the Federal Clean Air Act (CAA) and the California Clean Air Act (CCAA). Within the San Francisco Bay Area, air quality is monitored, evaluated, and regulated by the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (CARB), and Bay Area Air Quality Management District (BAAQMD).

The project is located in eastern Contra Costa County, which, along with eight other counties, is within the San Francisco Bay Area Air Basin (SFBAAB or Air Basin).

Air pollutants are emitted by a variety of sources, including mobile sources such as automobiles; stationary sources such as manufacturing facilities, power plants, and laboratories; and area sources such as homes and commercial buildings. While some of the air pollutants that are emitted need to be examined at the local level, others are predominantly an issue at the regional level. For instance, ozone (O<sub>3</sub>) is formed in the atmosphere in the presence of sunlight by a series of chemical reactions involving oxides of nitrogen (NO<sub>x</sub>) and reactive organic gases (ROG). Because these reactions are broad-scale in effects, the effects of ozone typically are analyzed at the regional level (i.e., in the Air Basin) rather than the local level. On the other hand, other air pollutants such as sulfur dioxide (SO<sub>2</sub>), respirable particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>), carbon monoxide (CO), lead (Pb), and toxic air contaminants (TAC) are a potential concern in the immediate vicinity of the pollutant source because the pollutants are emitted directly or are formed close to the source. TACs are also known as hazardous air pollutants. Therefore, the study area for emissions of SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, CO, Pb, and TAC is the local area nearest the source, such as in the vicinity of construction sites, whereas the study area for regional pollutants such as NO<sub>x</sub> and ROG is the entire Air Basin.

Air pollutants typically are categorized as criteria pollutants or TACs. The criteria pollutants are those regulated at the federal level by U.S. EPA and at the state and regional level by CARB and BAAQMD, respectively. These include O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, CO, nitrogen dioxide (NO<sub>2</sub>), SO<sub>2</sub>, and Pb. O<sub>3</sub> is a secondary pollutant formed during photochemical reactions with precursor pollutants. As such, O<sub>3</sub> is measured by assessing emissions of its precursors, ROG and NO<sub>2</sub>. TACs are airborne pollutants for which there are no air quality standards, but are known to have adverse human health effects and therefore are regulated. TACs are generated by a number of sources, including stationary sources, mobile sources such as automobiles and heavy-duty construction equipment, particularly diesel-fueled vehicles.

Air quality in the Air Basin is monitored by the BAAQMD and CARB. Based on pollutant concentrations measured at monitoring stations within the Air Basin, the SFBAAB is classified as being either in attainment or non-attainment of federal and state air quality standards. The Air Basin is designated nonattainment for the federal O<sub>3</sub> 8-hour standard, the state O<sub>3</sub> 1-hour standard, the state PM<sub>10</sub> standard, and the state and federal PM<sub>2.5</sub> standards. For all other federal and state standards, the Air Basin is in attainment or unclassified.

Some groups of people are considered more sensitive to adverse effects from air pollution than the general population. These groups are termed “sensitive receptors.” Sensitive receptors include children, the elderly, and people with existing health problems, who are more often susceptible to respiratory infections and other air quality-related health problems. Locations where these groups of people are found, such as schools, childcare centers, hospitals, and nursing homes, are all considered sensitive receptors. Air pollution impacts are assessed, in part, based on potential effects on sensitive receptors.

Several sensitive receptors are located in the vicinity of the project site. Specifically, single-family homes are located adjacent to the work areas on the east side of the creek between Dainty Avenue and Central Boulevard; on the west side of the creek between Central Boulevard and Deer Creek; and along the east side of the Middle Reach. Willow Wood School/Dainty Center is also located adjacent to the east side of the creek at the corner of Dainty Avenue and Central Boulevard.

The BAAQMD CEQA Air Quality Guidelines (“BAAQMD Guidelines”) set forth methodologies and quantitative significance thresholds that a lead agency may use to estimate and evaluate the significance of a project’s air emissions. The BAAQMD Guidelines present thresholds for evaluating both construction-phase and operational emissions, and include numeric thresholds for criteria pollutants and health-based evaluation criteria for TACs. The BAAQMD Guidelines do not recommend quantification of fugitive dust emissions but note that the impact from a project’s fugitive dust emissions during construction would be significant unless dust control measures and other best management practices are implemented. Although due to litigation related to the BAAQMD Guidelines, the BAAQMD is not recommending the use of the thresholds in its Guidelines, the thresholds are used by most Bay Area lead agencies, and have been used in this Initial Study to evaluate the project’s air quality impacts.

### 5.3.2 Environmental Checklist and Discussion

AIR QUALITY		Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...					
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



- e) Create objectionable odors affecting a substantial number of people?

☐☐☒☐

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## DISCUSSION:

- a. A project would be considered to conflict with or obstruct implementation of the regional air quality plans if it would be inconsistent with the emissions inventories contained in the regional air quality plans. Emission inventories are developed based on projected increases in population and vehicle miles traveled (VMT) within the region. Project-generated increases in population or VMT could, therefore, potentially conflict with regional air quality attainment plans. Due to the nature of the creek restoration activities, implementation of the proposed project would not result in increased population or related increases in vehicle miles traveled within the region. As a result, implementation of the proposed project would not be anticipated to conflict with existing or future air quality planning efforts. The proposed project would have a *less than significant* impact.
- b. Implementation of the proposed project would result in short-term emissions associated with ground disturbance and use of construction equipment and vehicles. Minimal emissions are anticipated after the activities are completed, for reasons presented below.

### Construction

Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but have the potential to result in a significant air quality impact. The channel widening and restoration activities would result in temporary emissions associated with excavation and motor-vehicle exhaust from construction equipment and worker trips, as well as the movement of construction equipment especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities.

### Criteria Pollutant Emissions

Emissions of criteria pollutants from mainly excavation activities, grading and off-hauling were estimated using the CalEEMod model. A conservative scenario was modeled that assumed that the Upper Reach and Lower Reach improvements would be under construction at the same time and the Middle Reach improvements would be constructed shortly thereafter. Therefore all of the construction activities would take place over a 37-day period. The estimated construction emissions are provided below in **Table 2, Estimated Construction Emissions**.

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**Table 2**  
**Estimated Construction Emissions (lbs per day)**

	CO	NOx	ROG	PM (fugitive dust)	PM10 (Exhaust)	PM2.5 (Exhaust)
Project	24.4	20.9	2.4	138.7	0.81	0.74
<b>Significance Thresholds</b>	<b>None</b>	<b>54</b>	<b>54</b>	<b>None</b>	<b>82</b>	<b>54</b>
Exceedance?	No	No	No	No	No	No

Source: Impact Sciences, Inc. 2016.

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As shown in **Table 2**, if the Upper Reach and Lower Reach are concurrently under construction and the Middle Reach is constructed shortly after, the proposed project would result in emissions that would not exceed the thresholds of significance for criteria pollutants. The impact from air pollutant emissions during the construction-phase of the project would be *less than significant*.

#### ***Fugitive Dust***

As mentioned above, movement of construction equipment, especially on unpaved surfaces, during construction activities and off-hauling excavated materials could temporarily generate fugitive dust, including PM10 and PM2.5 emissions. Unless properly controlled, vehicles leaving the site would deposit mud on local roadways, which could be an additional source of airborne dust after it dries. Fugitive dust emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. Fugitive dust emissions would also depend on soil moisture, silt content of soil, wind speed, and the amount of equipment operating. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site. The BAAQMD Guidelines consider the impact from a project's construction-phase dust emissions to be less than significant if best management practices listed in the guidelines are implemented. Without these BMPs, the impact from fugitive dust emissions would be potentially significant. Thus, to ensure that construction-phase emissions are controlled and minimized, **Mitigation Measure AIR-1** is included which requires that dust control and other BMPs put forth by the BAAQMD are implemented by the proposed project.

#### **Mitigation Measure AIR-1:**

The construction contractor(s) shall implement the following BMPs during project construction:

- All exposed surfaces (e.g., parking areas, staging areas, soil stockpiles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

### ***Community Health Risk***

In addition to an evaluation of the potential impacts from a project's construction-phase emissions of criteria pollutant and fugitive dust, the BAAQMD Guidelines recommend an evaluation of potential community health risk and hazards from a project's construction emissions of toxic air contaminants (TACs). For assessing community risks and hazards, a 1,000 foot radius around the project boundary is recommended in the BAAQMD Guidelines. The proposed project would involve the use of diesel-fueled construction equipment which would result in diesel particulate emissions which are considered a TAC in the vicinity of the work areas. Due to the nature of the proposed project, the fact that only a few pieces of equipment would be used on each reach (no more than 3 pieces of equipment), and the short duration of work, the potential for a significant impact is low. However, sensitive receptors such as residences and a daycare center are located less than 50 feet from where project construction activities would occur and could be potentially affected. The impact would be *potentially significant*. To avoid impacts to nearby sensitive receptors, the project will be required to implement **Mitigation Measure AIR-2** which will ensure that cleaner engines are utilized for construction equipment to reduce diesel particulate emissions.

### **Mitigation Measure AIR-2:**

All diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously during the duration of construction shall, at a minimum, meet U.S. EPA emissions standards for Tier 2 engines or equivalent.

## Operation

Operational air emission impacts are associated with any change in permanent use of the project site as a land use change can add new on-site stationary or area sources to the project site or increase the number of vehicles trips to and from the project site. No change in land use is proposed as part of the channel widening and restoration activities. Although restoration activities may attract more people to utilize the Marsh Creek Trail, no significant permanent increase in vehicle trips to the creek would result due to the proposed project. The small number of vehicle trips associated with the monitoring and maintenance activities would not significantly increase VMT. Therefore, operational emissions associated with the proposed project would not change substantially from existing conditions, and would not exceed the applicable BAAQMD thresholds of significance for operational emissions. The impact from air pollutant emissions during operation would be *less than significant*.

- c. As described above in Response b, the proposed project would not result in temporary increases in air pollutant emissions that would exceed the applicable BAAQMD thresholds of significance for construction emissions of criteria pollutants. In addition, BMPs would be implemented to control fugitive dust and other construction-phase emissions. The proposed project would also not result in a substantial amount of air pollutant emissions during operation. As a result, increases of temporary and long-term air pollutant emissions would not result in a cumulatively considerable net increase of any of the pollutants for which the project region is in nonattainment status for federal or state ambient air quality standards. This impact would be *less than significant*.
- d. The potential for project construction activities to affect sensitive receptors is analyzed above under Response b. As noted there, although TAC emissions during construction could result in a potentially significant community health impact, it would be reduced to a *less than significant* level by **Mitigation Measure AIR-2** set forth above.
- e. Construction of the proposed project would require the use of diesel-fueled equipment, which has an associated odor. However, odors would be short term and temporary and would disperse rapidly. They would not be pervasive enough to affect a substantial number of people or to be objectionable. Consequently, construction of the proposed project would not cause or be affected by odors, and the impact would be less than significant. Furthermore, **Mitigation Measures AIR-1** and **AIR-2** would be implemented to minimize diesel exhaust emissions emitted on the project site during construction.

## 5.4 Biological Resources

### 5.4.1 Background

The project site is situated in a rapidly developing part of eastern Contra Costa County. Adjacent land uses include single-family residential neighborhoods to the north, west and south, and vacant lands zoned for residential development to the east and west. A section of the Marsh Creek Regional Trail follows the top of Marsh Creek's eastern bank.

The entire study area, which encompasses both banks of Marsh Creek over a section approximately 4,000 feet long, has been highly modified historically by flood control and agricultural activities. The upland portions of the study area were dryland farmed as recently as 2003 and were under cultivation at least as long ago as 1938; Marsh Creek has had much the same alignment going back at least as long ago as then. Although most of the Marsh Creek channel on site is lined with earthen banks, portions have been armored with grouted riprap. Multiple storm drains outfall into the channel. The left (western) bank is topped with a gravel access roadbed and backs up onto fenced back yards or adjacent residences, and a vacant field. The right (east) bank is topped with the paved Marsh Creek Regional Trail and bordered with an old barbed wire fence in the Lower Reach. The upland fields within and adjacent to the project site is former agricultural land that has gone fallow but is routinely disked for weed and fire control (Wood 2016).

No natural, unaltered plant communities are present onsite or the project vicinity. Although native plant species are present, none of the habitats present are considered indigenous and natural; each is characterized as a product of post-disturbance recolonization. The predominant vegetation type is ruderal. Anthropogenic habitat, consisting of plantings, is present along the Marsh Creek Regional Trail and on adjacent properties. A narrow band of ruderal freshwater marsh habitat is present along the base of each channel bank (Wood 2016).

Reconnaissance-level surveys were performed on May 12, 2015 and November 17, 2015 by Wood Biological Consulting. During both surveys, all habitat types at and adjacent to the study area were surveyed and classified, and plant and wildlife species observed were recorded.

#### Special-status Plants

Special-status plants include plant species that are listed or proposed for listing under the Federal Endangered Species Act (FESA) or California Endangered Species Act (CESA) or considered by the California Native Plant Society (CNPS) to be "rare, threatened or endangered in California" (California Rare Plant Rank 1A, 1B and 2). A total of 61 special-status plant species have been recorded in the nine U.S. Geological Survey (USGS) quadrangles surrounding the project site and were evaluated in the February 2016 Biological Resource Assessment. Of the 61 species, eight special-status plant species are mapped by the 2015 California Natural Diversity Database (CNDDB) as having been recorded from within 3.0 miles of the project site. These include brittlescale (*Atriplex depressa*), big tarplant (*Blepharizonia plumosa*), round-leaved filaree (*California macrophylla*), San Joaquin spearscale (*Extriplex joaquiniana*), stinkbells (*Fritillaria agrestis*), Brewer's western flax (*Hesperolinon breweri*), Antioch Dunes evening primrose (*Oenothera deltoides* ssp. *howellii*), and showy golden madia (*Madia radiata*).

No federally or State-listed plant species or California Rare Plant Rank 1A, 1B and 2 species were detected within the study area and none is expected to occur within the project disturbance areas due to level of historical disturbance and lack of appropriate habitat.

### **Special-status Wildlife Species**

Special-status wildlife species include animal taxa listed or proposed for listing under the FESA or CESA; taxa considered by the California Department of Fish and Wildlife (CDFW) to be a Species of Special Concern (SSC); and taxa which meet the criteria for listing, even if not currently included on any list, as described under CEQA Section 15380. In addition, many wildlife species receive protection under the Bald and Golden Eagle Protection Act (BGEPA), the Migratory Bird Treaty Act (MBTA), and the Migratory Bird Treaty Reform Act (MBTRA). The California Fish and Game Code (CFGF) provides specific language protecting birds and raptors, “fully protected birds,” “fully protected mammals,” “fully protected reptiles and amphibians,” and “fully protected fish.” The California Code of Regulations (CCR) prohibits the take of fully protected fish, certain fur-bearing mammals, and restricts the taking of amphibians and reptiles (Wood 2016).

The potential for a total of 78 special-status wildlife species to occur in the area to be disturbed by the project was evaluated in the February 2016 Biological Resource Assessment. Based on the availability of suitable habitat, there is potential for nine special-status wildlife species to occur on site. These include silvery legless lizard, California red-legged frog, Pacific pond turtle, Chinook salmon, steelhead (Central Valley distinct population segment (DPS)), burrowing owl, white-tailed kite, loggerhead shrike, and Swainson’s hawk. Of the nine species, two of these species were observed on site during surveys: burrowing owl was observed nesting within the study area and Swainson’s hawk was observed hunting on site.

### **East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan**

The proposed project site is located within the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (“HCP/NCCP” or “Plan”) inventory area. The Plan is intended to provide a comprehensive framework to protect natural resources in eastern Contra Costa County, while improving and streamlining the environmental permitting process for impacts of new development on Endangered and Threatened species, and other species covered by the HCP/NCCP.

The permit area for the East Contra Costa County HCP/NCCP generally includes land within the urban limit lines in the cities of Clayton, Pittsburg, Oakley, and Brentwood and Contra Costa County. The local jurisdictions who are permittees under the HCP/NCCP include the cities of Brentwood, Clayton, Oakley, and Pittsburg, Contra Costa County, Contra Costa County Flood Control and Water Conservation District, East Bay Regional Park District, and the Conservancy. Currently, all participating jurisdictions have approved the HCP/NCCP and have adopted implementing ordinances and the fee structures set forth in the HCP/NCCP.

As required by the FESA, the HCP/NCCP includes measures to avoid and minimize take of covered species, which would be included as conditions on development for applicable projects. It is the responsibility of project proponents to design and implement their projects in compliance with listed measures in the HCP/NCCP.

The proposed project's participation in the HCP/NCCP would provide a mechanism to adequately mitigate impacts to all potentially occurring covered sensitive species and habitats on the project site.

## 5.4.2 Environmental Checklist and Discussion

BIOLOGICAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



## DISCUSSION:

### a. Special-status Plants

As stated above, 61 special-status plant species have been recorded within the nine USGS quad area inclusive of the project site and were evaluated in the February 2016 Biological Resource Assessment. However, none of the special-status plant species were observed during site reconnaissance surveys and are not expected to occur on the project site due to the level of disturbance, soils, lack of suitable habitat or substrate, and geographic isolation from known populations. Therefore, *no impacts* to special-status plant species would occur.

### Special-status Wildlife Species

As noted above, the potential exists for nine special-status wildlife species to occur on site: silvery legless lizard, California red-legged frog, Pacific (Western) pond turtle, Chinook salmon, steelhead (Central Valley DPS), burrowing owl, white-tailed kite, loggerhead shrike, and Swainson's hawk. The potential also exists for numerous other bird species that are protected under the MBTA and CFGC to be present in the area. The potential for the project to affect these species is evaluated below.

### *Reptiles and Amphibians*

Populations of California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard have been recorded from the project region. Although the occurrence of these species on the project site is considered unlikely, the lack of significant barriers to movement between known source populations and the project site means that the potential exists for these species to move into harm's way during project construction and direct mortalities could result. Direct and indirect impacts to California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard would be considered *significant*. Implementation of **Mitigation Measure BIO-1** would reduce impacts to these species to a *less than significant* level.

### **Mitigation Measure BIO-1:**

To avoid and minimize impacts to California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard during construction activities, the project will implement the following measures:

1. Coverage under the HCP/NCCP. The project proponent shall apply for coverage under the HCP/NCCP. Participation in the HCP/NCCP, including implementation of appropriate avoidance and minimization measures and payment of applicable fees

would provide the project proponent with incidental take coverage for California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard.<sup>4</sup>

2. Seasonal Avoidance. If required by the Streambed Alteration Agreement or Water Quality Certification, work shall be limited to the dry season, from April 15 to October 15.
3. Minimize Nighttime Work. If required by the Streambed Alteration Agreement or Water Quality Certification, nighttime construction shall be restricted to avoid effects on nocturnally active species such as California red-legged frog.
4. Environmental Awareness Program. Prior to the commencement of construction activities, a qualified biologist shall present an environmental awareness program to all construction personnel working on site. At a minimum the training should include a description of special-status species that could be encountered, their habitats, regulatory status, protective measures, work boundaries, lines of communication, reporting requirements, and the implications of violations of applicable laws.
5. Wildlife Exclusion Fencing. Prior to the start of construction, wildlife exclusion fencing (WEF)<sup>5</sup> shall be installed as warranted and consistent with the HCP/NCCP to isolate the work area from any habitats potentially supporting special-status animals or through which such species may move. The final project plans shall indicate where and how the WEF is to be installed. The bid solicitation package special provisions shall provide further instructions to the contractor about acceptable fencing locations and materials. The fencing shall remain throughout the duration of the work activities, be regularly inspected and properly maintained by the contractor. Fencing and stakes shall be completely removed following project completion.
6. Best Management Practices (BMPs). Prior to the initiation of work, BMPs shall be in place to prevent the release of any pollutants or sediment into the creek, storm drains, or tributaries; all BMPs shall be properly maintained. Leaks, drips, and spills of hydraulic fluid, oil, or fuel from construction equipment shall be promptly cleaned up to prevent contamination of water ways. All workers shall be properly trained regarding the importance of preventing and cleaning up spills of contaminants. Protective measures should include, at a minimum:

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<sup>4</sup> The HCP/NCCP requires written notification to the USFWS, CDFW, and the Habitat Conservancy prior to disturbance of any suitable breeding habitat for California red-legged frog. However, the project area does not contain any suitable breeding habitat for this species. Because the project will receive take coverage under the HCP/NCCP, preconstruction surveys are not required for California red-legged frog (non-breeding), Pacific (Western) pond turtle and silver legless lizard.

<sup>5</sup> Wildlife Exclusion Fencing should provide a barrier for terrestrial wildlife gaining access to the project work areas. The fencing may vary to meet the needs of a particular species, but should be buried and/or backfilled to prevent animals passing under the fence and should be high enough to deter reptiles and amphibian or small mammals from climbing or jumping over the fence. Acceptable fencing materials including ERTEC E-Fence® (Ertec Environmental Systems LLC), plywood, corrugated metal, silt fencing or other suitable materials.

- a. No discharge of pollutants from vehicle and equipment cleaning should be allowed into any storm drains or watercourses.
  - b. Spill containment kits should be maintained onsite at all times during construction operations and/or staging or fueling of equipment.
  - c. Coir rolls or straw wattles should be installed along or at the base of slopes during construction to capture sediment.
- 7. Erosion Control. Graded areas shall be protected from erosion using a combination of silt fences, fiber rolls along toes of slopes or along edges of designated staging areas, and erosion control netting (such as jute or coir) as appropriate on sloped areas.
- 8. Construction Site Restrictions. The following site restrictions shall be implemented to avoid adversely affecting sensitive habitats and harm or harassment to listed species:
  - a. Any fill material shall be certified to be non-toxic and weed free.
  - b. All food and food-related trash items shall be enclosed in sealed trash containers and removed completely from the site at the end of each day.
  - c. No pets from project personnel shall be allowed anywhere in the project site during construction.
  - d. No firearms shall be allowed on the project site except for those carried by authorized security personnel, or local, State or Federal law enforcement officials.
  - e. All equipment shall be maintained such that there are no leaks of automotive fluids such as gasoline, oils or solvents and a Spill Response Plan shall be prepared. Hazardous materials such as fuels, oils, solvents, etc. shall be stored in sealable containers in a designated location that is isolated from wetlands and aquatic habitats.
  - f. Servicing of vehicles and construction equipment including fueling, cleaning, and maintenance should occur only at sites isolated from any aquatic habitat unless separated by topographic or drainage barrier or unless it is an already existing gas station. Staging areas may occur closer to the project activities as required.
- 9. Proper Use of Erosion Control Devices. Plastic mono-filament netting (e.g., that used with erosion control matting) or similar material shall not be used within the project area; wildlife can become entangled or trapped in such non-biodegradable materials. Acceptable substitutes include coconut coir matting, tackified hydroseeding, blown straw, or other organic mulching material.
- 10. Protocol for Species Observation – Pacific (Western) pond turtle and silvery legless lizard. If a Pacific (Western) pond turtle or silvery legless lizard is encountered in the project site, work in the area of the finding must cease immediately until the animal either moves out of harm's way of its own accord or is safely relocated well upstream or downstream of the project site. Only a qualified biologist with a scientific collection permit issued by the CDFW may handle and relocate Pacific (Western) pond turtle or silvery legless lizard. Any sightings and relocation of Pacific (Western)

pond turtle and silvery legless lizard should be reported to the CDFW and the CNDDDB.

### *Fish Species*

Although there are no records for steelhead or Chinook salmon occurring in Marsh Creek in the 2015 CNDDDB and occurrence on site for both species is considered unlikely, recent sightings of fall-run Chinook have been reported within Marsh Creek and suitable habitat for steelhead is present in the project area. Populations of listed salmonids have not been regularly observed in Marsh Creek; any present would be considered stray migrants. Listed salmonids have the greatest potential to occur within the project area between November and June based on the timing of adult and juvenile migrations in and through the waterways of the Sacramento/San Joaquin Delta (National Marine Fisheries Service 2012). Although the vast majority of construction activities would occur above the OHWM and during the dry season, some limited work such as restoration of habitat or site-specific armoring could occur in the low-flow channel. To the extent that this work in the low-flow channel requires either dewatering or excavation, take of steelhead or Chinook could occur. Neither of these species is covered under the HCP/NCCP and direct and indirect impacts to either steelhead or Chinook would be considered *significant*. To ensure there is no take of either of these species if work in the low-flow channel becomes necessary, **Mitigation Measure BIO-2** would be implemented and impacts would be reduced to *less than significant*. In addition, consultation with the National Marine Fisheries Service (NMFS) will confirm these measures are sufficient; otherwise, additional measures may be implemented as appropriate. Once the proposed improvements are constructed, the project would not impede or interfere with fish movement. In fact the project would improve conditions for movement of fish species in this area.

#### **Mitigation Measure BIO-2:**

To minimize and avoid impacts to Chinook salmon and steelhead, the following measures will be implemented:

1. Seasonal Avoidance. In-stream work shall be limited to June 1 to October 31.
2. In-Stream Activities: If in-stream construction or dewatering is required, the following precautionary measures should be implemented:
  - a. A preconstruction survey of the aquatic environment shall be performed by a qualified biologist.
  - b. A qualified biologist shall present an environmental awareness program working on site.
  - c. A qualified biologist should monitor all in-stream activities.
  - d. If dewatering is proposed, a qualified biologist should monitor the installation of coffer dams. During dewatering, a qualified biologist should check for stranded aquatic wildlife. Dewatering pumps must be fitted with intake screens with a mesh no greater than 5 mm (0.2 in) and BMPs will be installed to minimize sediment transport during installation of coffer dams.

- e. Native species (non-special-status fish species) should be relocated upstream or downstream of the cofferdams by a permitted biologist. Non-native species should be euthanized in accordance with the guidance of the CDFW. All wildlife encounters should be documented and reported to the CDFW. If listed salmonids are present, the NMFS shall be consulted to determine the appropriate measures to ensure conformance with ESA.

### ***Migratory and Special-status Birds***

The project site trees, shrubs, vines, and grasslands provide suitable nesting habitat for four special-status bird species (Swainson's hawk, white-tailed kite, burrowing owl, and loggerhead shrike) as well as many other migratory bird species. As noted earlier, during site reconnaissance surveys, an occupied nesting burrow of burrowing owl was observed in the study area, and a foraging Swainson's hawk was observed on the ground, perching and directly overhead during the survey.

Ground disturbing activities such as grubbing, grading, trenching, and tree removal or pruning could result in direct or indirect impacts to nesting birds by causing the destruction or abandonment of occupied nests and mortality of young. In addition, noise from construction activities could disrupt active nests. Any direct or indirect impact on an active nest of the special-status bird species or species protected by the MBTA and CFGC would be a *potentially significant impact*. Implementation of **Mitigation Measure BIO-3** would reduce impacts to nesting birds to less than significant.

#### **Mitigation Measure BIO-3:**

In order to avoid impacts to nesting Swainson's hawk, white-tailed kite, burrowing owl, loggerhead shrike, and other bird species protected under the MBTA and CFGC during project implementation, the measures outlined below shall be implemented.

- 1) Environmental Awareness Program. Prior to the commencement of construction activities, a qualified biologist shall present an environmental awareness program to all construction personnel working on site. At a minimum the training shall include a description of special-status species that could be encountered, their habitats, regulatory status, protective measures, work boundaries, lines of communication, reporting requirements, and the implications of violations of applicable laws.
- 2) Swainson's hawk is a federally listed threatened species and is covered under the HCP/NCCP. Nonetheless, every effort should be made to ensure that no take of Swainson's hawk occurs. Therefore, the measures outlined below should be implemented.
  - a) The project proponent should apply for coverage under the HCP/NCCP. Participation in the HCP/NCCP would provide the applicant with incidental take coverage for Swainson's hawk and satisfy any requirements for mitigation for loss of habitat.
  - b) Prior to any ground disturbance during the nesting season (March 15-September 15), a qualified biologist shall conduct a preconstruction survey no more than one month prior to construction to determine if there are any

active Swainson's hawk nests within 305 meters (1,000 feet) of the project site.

- c) If there are no occupied nests within this buffer, no further action is needed.
  - d) If an active nest is present within this buffer, the measures outlined below shall be followed.
    - Construction activities are not permitted within 305 meters (1,000 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a small buffer, a qualified biologist should coordinate with CDFW and USFWS to determine the appropriate buffer size.
    - Construction activities may proceed prior to September 15 if the young Swainson's hawks have fledged, as determined by a qualified biologist.
- 3) White-tailed kite is a state-listed fully protected species; it is not covered under the HCP/NCCP and incidental take of the species is not allowed. To ensure that no take of white-tailed kite or other migratory raptors occurs, the measures outlined below shall be implemented.
- a) Prior to any ground disturbance during the nesting season (February 1-August 31), a qualified biologist shall conduct a preconstruction survey no more than two weeks prior to construction to determine if there are any active nests of white-tailed kite or other migratory raptors within 76 meters (250 feet) of the project site.
  - b) Prior to the removal or significant pruning of any trees, they shall be inspected by a qualified biologist for the presence of raptor nests. This is required during both the breeding season and non-breeding season. If a suspected raptor nest is discovered, the CDFW shall be notified. Pursuant to CFGC Section 3503.5, raptor nests, whether or not they are occupied, may not be removed until approval is granted by the CDFW.
  - c) If there are no occupied nests within this buffer, no further action is needed.
  - d) If an active nest is present within this buffer, the measures outlined below shall be implemented.
    - Construction activities are not permitted within 76 meter (250 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a small buffer, a qualified biologist should coordinate with the CDFW and/or USFWS to determine the appropriate buffer size. Nest monitoring may be warranted for activities that would occur within a smaller buffer.
    - Construction activities may proceed prior to August 31 if the young white-tailed kites or other raptor species have fledged, as determined by a qualified biologist.
- 4) Burrowing owl is a State species of special concern and a covered species under the HCP/NCCP. To ensure that no take of burrowing owl occurs, the measures outlined below shall be implemented.

- a) Prior to any ground disturbance during the nesting season (February 1-August 31), a CDFW-approved biologist shall conduct a preconstruction survey of all suitable burrowing owl habitat that would be affected by the project. The survey shall be performed no more than 30 days prior to construction to determine if there are any active nests of burrowing owl within 153 m (500 ft) of the project site, access permitting.
  - b) If there are no occupied nests within this buffer, no further action is needed.
  - c) If an active nest is present within this buffer, the measures outlined below shall be implemented.
    - If an occupied burrowing owl nest site is present within the limits of work, construction may not proceed. The taking of burrowing owls or occupied nests is prohibited under CFGC.<sup>6</sup> Nest sites must be flagged and protected by a designated disturbance-free buffer zone of at least 76 meters (250 feet).
    - Construction activities are not permitted within 76 meters (250 feet) of an occupied nest to prevent nest abandonment.
    - Construction may proceed if a qualified biologist monitors the nest and determines that the adults have not begun egg-laying and incubation or that the juveniles have fledged.
    - Burrowing owls may be passively excluded from occupied burrows outside of the breeding season (i.e., September 1-January 31), in consultation with the CDFW. All owls should be passively excluded from burrows within 49 meters (160 feet) of the work site. Passive exclusion is achieved by installing one-way doors in the burrow entrances. Doors should be in place for at least 48 hours and the site should be monitored daily for at least one week to confirm that the burrow has been abandoned.
- 5) Loggerhead shrike is a state species of special concern; it is not covered under the HCP/NCCP and incidental take of the species is not allowed. To ensure that no take of loggerhead shrike or any other migratory passerines occurs, the measures outlined below shall be implemented.
- a) If ground-disturbing activities (i.e., site clearing, disking, grading, etc.) can be performed outside of the nesting season (i.e., between September 1 and January 31), no additional surveys are warranted.
  - b) Prior to any ground disturbance during the nesting season (February 1-August 31), a qualified biologist should conduct a preconstruction survey no more than two weeks prior to construction to determine if there are any active nests of loggerhead shrike or any other migratory passerines nests within 30 meters (100 feet) of the project site.

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<sup>6</sup> CFGC §§3503, 3503.5 and 3800



- c) If there are no occupied nests within this buffer, no further action is needed.
- d) If an active nest is present within this buffer, the following measures shall be implemented.
  - Construction activities are not permitted within 30 meters (100 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a smaller buffer, a qualified biologist should coordinate with the CDFW and USFWS to determine the appropriate buffer size. Nest monitoring may be warranted for activities that would occur within a smaller buffer.
  - Construction activities may proceed prior to August 31 if the young birds have fledged, as determined by a qualified biologist.
- f. Sensitive natural communities recorded from the project region include alkali meadow, alkali seep, cismontane alkali marsh, coastal and valley freshwater marsh, coastal brackish marsh, northern claypan vernal pool, stabilized interior dunes, valley needlegrass grassland, and valley sink scrub (Wood 2016). However, there are no known special-status natural communities on the project site. Although the project would involve the removal of some limited riparian habitat along the creek in order to widen the channel, substantially greater riparian habitat would be created by converting the creek channel to a more natural channel and planting the banks with riparian trees and plant species. Thus, the impact of the project on sensitive natural communities and riparian habitat would be *less than significant*.
- g. During the 2015 site visits, a preliminary delineation of jurisdictional waters of the U.S. and waters of the State was performed.<sup>7</sup> Marsh Creek is expected to qualify as a water of the U.S. and a water of the State. Thus, as currently proposed, the project would result in impacts to jurisdictional waters. Impacts to the channel are regulated and fall under the jurisdiction of the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and the CDFW. The proposed project would grade back both banks of Marsh Creek to an elevation just above the OHWM. The total length of channel to be altered is 4,000 feet. The impact on federal and state waters would be *potentially significant*. With the implementation of **Mitigation Measure BIO-4**, project impacts to jurisdictional waters would be reduced to a *less than significant* level.

#### **Mitigation Measure BIO-4:**

In order to avoid, minimize and compensate for unavoidable impacts on waters of the U.S./waters of the State, the measures outlined below shall be implemented.

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<sup>7</sup> Methods were in accordance with the procedures outlined in *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory, 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (USACE, 2008). Determination of the limits of the ordinary high water mark (OHWM) conformed to procedures outlined in USACE (2006).

- 1) Impacts on waters of the U.S. will be avoided by restricting grading to an elevation above the OHWM; avoidance of impacts to waters of the State is not feasible. Long-term impacts shall be minimized by limiting the use of hardened structures (e.g., grouted riprap) in preference of bio-engineering solutions as much as is practicable. Surface water connections must not be permanently blocked or interrupted and the installation of drop-structures or other features that create barriers to wildlife movement shall be avoided.
- 2) Prior to construction, the project proponent will need to secure authorization from the USACE, RWQCB, and CDFW in conformance to the Clean Water Act and Lake and Streambed Alteration Program.
- 3) Participation in the HCP/NCCP is expected to satisfy the requirements of the regulatory agencies for compensatory mitigation for unavoidable impacts on stream channels, wetlands and riparian habitat. A Planning Survey Report shall be completed and submitted to the East Contra Costa County Habitat Conservancy. The submittal shall include detailed drawings illustrating all temporary and permanent impacts.
- 4) Per the terms of the adopted HCP/NCCP, a wetland mitigation fee or on-site habitat restoration will mitigate the impacts. If accepted by the regulatory agencies, no additional mitigation for wetland impacts is typically required. HCP/NCCP fee payment will occur at project contract award.
- 5) For all work within and adjacent to the stream channel and riparian habitat, best management practices (BMPs) must be incorporated into the project design to minimize environmental effects. These include the following:
  - Construction in the active channels shall be restricted to the dry season (April 15-October 15).
  - Personnel conducting ground-disturbing activities within or adjacent to the buffer zone of wetlands, ponds, streams, or riparian woodland/scrub shall be trained by a qualified biologist in these avoidance and minimization measures and the permit obligations.
  - If dewatering is necessary, water released downstream of work areas must be as clean or cleaner than flows entering the work area. Sediment-laden water shall be either pumped onto upland sites for infiltration or into Baker tanks for settling, prior to being released back into the channel. Cofferdams shall consist of clean, silt-free sand or gravel in sand bags, or a comparable material. All cofferdam materials must be promptly removed when no longer needed.
  - High visibility temporary construction fencing should be erected between the outer edge of the limits of construction and adjacent streams or habitats to be preserved. Temporary construction fencing will be removed upon the completion of work.
  - Grading or construction near channels shall be isolated with silt fencing or other BMPs to prevent sedimentation. BMPs shall be regularly inspected.
  - Vehicles and equipment shall be parked on existing roads or previously disturbed areas.

- Equipment working in channels must be in good working order and free of leaks of fuel, oil, and hydraulic fluids. Drip pans shall be placed under vehicles and equipment over waterways and spill clean-up materials should be kept onsite at a convenient location.
- Equipment maintenance and refueling shall be performed well away from the top of bank of any channel; storm drain inlets shall be protected from an accidental release of contaminants.
- Concrete washings or other contaminants must not be permitted to enter the stream channel or any storm drain inlet.
- Any concrete structures or cured-in-place pipe linings shall be allowed to cure before coming in contact with surface flows.
- Construction debris and materials shall be stockpiled away from watercourses.
- Appropriate erosion-control measures (e.g., coconut coir matting, tackified hydroseeding, blown straw or other organic mulching material) shall be used on site to reduce siltation and runoff of contaminants into wetlands, ponds, streams, or riparian woodland/scrub. Plastic mono-filament netting (e.g., that used with erosion control matting) or similar material should not be used within the action area; wildlife can become entangled or trapped such non-biodegradable materials. Erosion-control measures shall be placed between the outer edge of the buffer and the project site.
- Fiber rolls used for erosion control shall be certified as free of noxious weed seed.
- Construction staging areas past the channel banks must be located away from any wetlands or other sensitive habitats as identified by a qualified biologist.
- Newly graded earthen channel slopes shall be revegetated with a native seed mix developed by a qualified restorationist. Seed mixtures applied for erosion control shall not contain invasive nonnative species, and be composed of native species or sterile nonnative species. Straw or mulch shall also be applied to all bare surfaces. The seed mix and mulch shall be applied prior to the onset of the first winter-season rains.
- Herbicide shall not be applied within 30 meters (100 feet) of wetlands, ponds, streams, or riparian habitat. However, where appropriate to control serious invasive plants, herbicides that have been approved by the U.S. EPA for use in or adjacent to aquatic habitats may be used as long as label instructions are followed and applications avoid or minimize impacts on covered species and their habitats. In seasonal or intermittent stream or wetland environments, appropriate herbicides may be applied during the dry season to control nonnative invasive species. Herbicide drift should be minimized by applying the herbicide as close to the target area as possible and by avoiding applying during windy days.
- Additional measures may be outlined in the conditions of the permits issued by the USACE, RWQCB, CDFW, and the Habitat Conservancy. All permit conditions must be conformed to.

- d. As mentioned above, limited construction work could occur in the low-flow channel and take of steelhead or Chinook could occur. To ensure there is no take of either of these species if work in the low-flow channel becomes necessary, **Mitigation Measure BIO-2** would be implemented to ensure temporary impacts to wildlife movement would be *less than significant*. Consultation with National Marine Fisheries Service (NMFS) would be conducted by the USACE during the USACE permit application process.

Marsh Creek is not part of an uninterrupted riparian corridor and although it is contiguous with extensive open shoreline lands downstream, it connects to the uppermost part of the watershed only after passing through commercial, industrial and residential development and numerous culvert outfalls. Much of the Lower Reach of Marsh Creek lacks significant riffles, pools, irregular bank features, and overhanging vegetation that provide suitable cover or refuge for resident or dispersing wildlife. Furthermore, the adjacent residential neighborhoods and commercial development bring predators such as pets, feral animals, and those attracted to human habitation. Increased human activity, noise, and lighting further inhibit the movements of wildlife species. For these reasons, the section of Marsh Creek that constitutes the project site is not expected to serve as a significant wildlife corridor. Although, construction activities would disturb wildlife that use the creek in the project area this disturbance would be temporary. Furthermore, the implementation of the proposed habitat restoration and enhancement project would serve to improve the quality of available habitat for wildlife use, including movement of fish species. Thus, *less than significant* impacts to wildlife movement would occur.

- e. The natural vegetation within the project area consists of annual grasses and forbs with a few scattered oaks. Project implementation would require removal of predominantly ruderal vegetation consisting of herbaceous annual and perennial grasses and forbs. Trees planned for removal include one valley oak (dbh<sup>8</sup> estimated to be 40 inches), two live oaks (14-inch dbh), and 5-10 non-native trees (8-inch dbh). The City of Brentwood Oak Tree Preservation Ordinance requires that any healthy oak trees (4-inch dbh or greater) that are removed within Planned Development 20 (PD-20) areas shall be replaced with 48-inch box blue oak trees with a canopy width of 7 to 8 feet and a height of 17 feet. The ordinance requires that all trees shall be planted in public lands, the golf course, open space areas or view easements.

Although the proposed project is not subject to the City's tree ordinance, trees to be planted along the creek would still comply with tree replacement standards and would provide a greater number of trees than are currently on-site. A key component of the proposed project is to plant numerous trees alongside the creek to provide shade for pedestrians utilizing the Marsh Creek Trail and to shade waters within the creek to improve water quality. Thus, the impact would be *less than significant*.

- f. The East Contra Costa County HCP/NCCP was adopted in August of 2007. The HCP/NCCP provides a framework to protect natural resources in eastern Contra Costa County, while improving and streamlining the environmental permitting process for impacts on endangered species. Rather than individually surveying, negotiating, and securing mitigation, project proponents will receive required permits by paying a fee (and/or dedicating land) and adhering

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<sup>8</sup> Diameter of a tree measured at breast height or approximately 4.5 feet from the ground.

to Plan-required avoidance and minimization measures. Fees are paid into two separate reserves, a Development Fee and a Wetland Fee. The Development Fee requires payment based on a cost per acre for all acres converted to non-habitat with the cost per acre based on the HCP fee zone. The proposed project does not propose any building or structure development and would not convert any areas to non-habitat. Nonetheless, the project would temporarily disturb habitat and potentially affect covered species and payment of the Development Fee would be required. The Wetland Fee requires payment based on the amount and type of wetland or waters affected. The proposed project would comply with the HCP/NCCP and project impacts to species, habitat, and wetlands would be mitigated through the payment of Wetland Impact fees to the HCP/NCCP (or on-site habitat restoration). Therefore, the proposed project would not conflict with the provisions of an adopted HCP/NCCP and there would be *no impact*.

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## 5.5 Cultural Resources

### 5.5.1 Background

The project area is situated on the western margin of California's Central Valley, one of two principal grassland communities that exist in California. The combination of the climate and arable soils has produced rich farmland leading to extensive agricultural use of the region, which has resulted in the disappearance of much of the original marsh and grassland community. Annual precipitation in the region is 6 to 29 inches. The climate is Mediterranean and temperatures in the summer are high (WSA 2016). No standing structures are present on the project site.

On November 10, 2015, WSA conducted a records search for the project at the Northwest Information Center at Sonoma State University (NWIC) (File No. 15-0613). The records search included a review of cultural resource and excavation reports and recorded cultural resources within 1/4-mile radius of the project area. The records search also included a review of the Office of Historic Preservation Directory.

A total of two cultural resources studies have been conducted within the project area, and a total five cultural resources studies have been conducted within 1/4-mile radius of the project.

The records search indicated that no previously recorded resources are within the project area. One previously recorded resource, the Union<sup>9</sup> Pacific Railroad (P-07-000813), is located within 1/4-mile of the project area. The resource is a segment of the historic Union Pacific Railroad<sup>6</sup> whose alignment has been recorded in a number of different locations.

WSA Staff Archaeologist David Buckley conducted a field reconnaissance of the proposed project area on November 17, 2015. The survey began at the southeast corner of the project area at the intersection of Dainty Avenue and proceeded north along the eastern side of Marsh Creek. The survey proceeded around the north end of the project area and then continued south along the west side of Marsh Creek, terminating back at Dainty Avenue. No prehistoric or historic deposits were observed during the archaeological survey and no evidence of prehistoric cultural soils (midden) was observed during the archaeological survey (WSA 2016).

### 5.5.2 Environmental Checklist and Discussion

CULTURAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>9</sup> The railroad is listed as Union Pacific in the record but actually is currently known as Southern Pacific Railroad.



b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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## DISCUSSION:

- a. The project site consists of a section along Marsh Creek and the Marsh Creek Trail. The site does not contain buildings or structures that would qualify as historical resources. *No impact* on a structure or feature of the built environment that qualifies as a historical resource would occur.
- b.,d. As noted above, no recorded archaeological resources are known from the project area. No prehistoric or historic deposits were observed during the archaeological survey and no evidence of prehistoric cultural soils (midden) was observed during the archaeological survey. However, given that associated grave goods and human remains have been identified at various places along the banks of Marsh Creek at other locations, all of the areas immediately adjacent to Marsh Creek are considered sensitive for prehistoric archaeological deposits. Therefore, project impacts to unknown cultural resources or human remains would be potentially significant. **Mitigation Measure CUL-1** would reduce the impacts to unknown historic and prehistoric archaeological resources and human remains to a *less than significant* level.

### Mitigation Measure CUL-1:

Crew training, initial monitoring by a qualified archaeologist to determine an appropriate level of monitoring for the duration of the project, and additional spot checks pending the results of the initial monitoring shall be conducted prior to and during ground disturbing activities.

A qualified archaeologist shall be present on the project site to monitor ground disturbing activities and inspect excavated soils to identify any cultural resources and human remains as deemed appropriate by the qualified archaeologist.

All construction crew workers shall attend a training session led by a qualified archaeologist that discusses (1) the reasons for archaeological resource monitoring; (2) regulatory policies protecting resources and human remains; (3) basic identification of archaeological resources; and (4) the protocol to follow in case of a discovery of such resources.

In accordance with CEQA Guideline §15064.5 (f), should any previously unknown historic or prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable soils, glass, metal, ceramics, wood, privies, trash deposits or similar debris, be discovered during ground disturbing activities, work within 25 feet of these materials should be stopped until a qualified professional archaeologist has an opportunity to evaluate the potential significance of the find and to consult with the lead agency about what appropriate mitigation would be appropriate to protect the resource.

In the event that human remains, or possible human remains, are encountered during project-related ground disturbance, in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.

The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the NAHC within 24 hours. The Commission has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the project. The MLD, or in lieu of the MLD, the NAHC, has the responsibility to provide guidance as to the ultimate disposition of any Native American remains.

- c. There are no known significant fossil deposits or paleontological resources located in the City of Brentwood (City of Brentwood 2014a). However, the geologic conditions within the city provide suitable conditions for the possibility of fossils to exist at depths of five to 10 feet below ground surface. The project site is mapped as Quaternary-aged alluvial deposits. Geologic formations, including various Quaternary subunits have a high to moderate potential for paleontological resources (City of Brentwood 2014a). Therefore, excavation on the project site could potentially inadvertently unearth and damage paleontological resources. Project impacts to paleontological resources would be *potentially significant*. **Mitigation Measure CUL-2** would be implemented to reduce the impact on paleontological resources to a *less than significant* level.

#### **Mitigation Measure CUL-2:**

Prior to project construction, construction personnel shall be informed of the potential for encountering significant paleontological resources. All construction personnel shall be informed of the need to stop work in the vicinity of a potential discovery until a qualified paleontologist has been provided the opportunity to assess the significance of the find and implement appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed of the requirements that unauthorized collection resources are prohibited.

- e. Assembly Bill (AB) 52, which came into effect on July 1, 2015, requires that lead agencies consider the effects of projects on tribal cultural resources and conduct consultation with federally and

non-federally recognized Native American tribes early in the environmental review process. According to AB 52, it is the responsibility of the tribes to formally request of a lead agency that they be notified of projects in the lead agency's jurisdiction so that they may request consultation. One tribe, Wilton Rancheria, has contacted the District<sup>10</sup> requesting notification regarding projects proposed by the County. A letter was sent to Wilton Rancheria in October 2015 and no responses have been received to date. Although at this time, no other tribes have contacted the District requesting notification, the District proactively contacted the Native American Heritage Commission (NAHC) to obtain a list of Native American individuals and organizations that may have knowledge of or interest in tribal cultural resources in the project area. On February 1, 2016, WSA sent out letters to Native American tribes identified by NAHC notifying them of the proposed project and followed up with phone calls. Comments and recommendations were received from three Native American contacts. Ms. Zwierlein representing the Amah/Mutsun Tribal Band recommended construction to proceed with caution and call an archaeologist, if needed. Ms. Sayers representing the Indian Canyon Mutsun Band of Costanoan recommended archaeological and Native American monitoring during ground disturbance. Ms. Cambra representing the Muwekma Ohlone Indian Tribe of the SF Bay Area recommended consultation with the lead agency and asked for a report on how they responded to the archaeologist's recommendations. A record of the Native American consultation can be found in the 2016 Cultural Resources Assessment Report. The District has determined that with the mitigation measures outlined above, the proposed project would not affect any known tribal cultural resources in the area. The impact would be *less than significant*.

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<sup>10</sup> The District is coordinating with Native American tribes on behalf of the County.

## 5.6 Geology and Soils

### 5.6.1 Background

The project area is mapped as Quaternary-aged alluvial deposits. These soils are described as surficial sediments of alluvial clay and loam. Over the majority of the project site, soils encountered include clay with varying amounts of sand, silt, and gravel. The site is generally covered by seasonal grasses and weeds (ENGEO 2015). The existing Marsh Creek Trail consists of asphalt and landscaped gravels covering the surface.

### 5.6.2 Environmental Checklist and Discussion

<b>GEOLOGY and SOILS</b> Would the project...	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## DISCUSSION:

- a. i. The San Francisco Bay Area contains numerous active earthquake faults. Numerous small earthquakes occur every year in the San Francisco Bay Region, and larger earthquakes have been recorded and can be expected to occur in the future. The project site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone and no known surface expression of active faults is believed to exist within the project site. The nearest active faults are the Greenville fault and Mount Diablo Thrust fault, located approximately 8 miles and 15 miles to the west, respectively. The two faults are considered capable of a moment magnitude earthquake of 7.0 and 6.7, respectively. Additionally, the Great Valley fault, a buried thrust fault, underlies the general Brentwood area. The location of the Great Valley fault is inferred from regional data; the fault does not extend to the ground surface and its location is not accurately known (ENGEO 2015).

Although the project site lies within a seismically active region, there are no known active faults crossing the project site and the site is not located within an Earthquake Fault Zone. Therefore, ground rupture is unlikely at the project site and the impact would be *less than significant*.

- a. ii. The project site could experience ground shaking due to an earthquake of moderate to high magnitude generated within the San Francisco Bay Region, similar to that which has occurred in the past. Therefore, if cut slopes to create the floodplain and flood benches are steeper than 3:1, they could become unstable or collapse as a result of ground shaking. The impact would be *potentially significant*. The proposed project would implement **Mitigation Measure GEO-1**, which requires the project to comply with all recommendations specified in Section 3.3 of the Geotechnical Report, including those pertaining to slope construction, to reduce the potential for slope deformation in the event of an earthquake. Compliance with **Mitigation Measure GEO-1** would ensure *less than significant* impacts from seismic ground shaking.

### **Mitigation Measure GEO-1:**

The proposed project shall comply with all recommendations specified in Section 3.3 of the May 2015 Geotechnical Report prepared by ENGEO.

- a. iii. According to the Association of Bay Area Governments (ABAG), the liquefaction susceptibility of the project site ranges from moderate to very high. The liquefaction susceptibility is high along the northeastern portion of the site adjacent to the railroad and very high along Marsh Creek. However, during field explorations conducted by ENGEO on December 9, 2014, no materials that would be classified as susceptible to liquefaction that are situated above groundwater levels were encountered. Furthermore, the project does not include any structures that would be inhabited by people. Thus, the impact from liquefaction would be *less than significant*.
- a. iv. The proposed project site is relatively flat and not located in an area susceptible to landslides. Therefore, the proposed project would not be affected by landslides and *no impact* would occur.
- b. During construction activities, such as excavation of the creek channel, there could be potential for erosion and discharge of eroded sediment into Marsh Creek. Construction projects that involve disturbance of over 1.0 acre of land are required by law to seek coverage under the state's National Pollutant Discharge Elimination System (NPDES) General Permit for Discharge of

Storm Water Associated with Construction Activity. As part of this permit, construction projects disturbing over 1.0 acre (such as the proposed project) are required to file a notice of intent (NOI) with the State Water Resources Control Board and implement a site-specific Storm Water Pollution Prevention Plan (SWPPP), which would specify Best Management Practices (BMPs) to reduce the contribution of sediments, spilled and leaked liquids from construction equipment, and other construction-related pollutants to project site runoff. The District on behalf of the County would have oversight responsibility over the three reaches and would have the authority to stop construction in the event the SWPPP is improperly implemented. As a result of compliance with the law related to construction site runoff, the impact related to soil erosion during construction would be *less than significant*.

Upon project completion, implemented restoration activities would reduce flow velocities within the creek thereby reducing erosion potential. Replanting native riparian vegetation along the creek and wetland plants within the excavated floodplain benches would also prevent soil loss. Additionally, permanent slope protection would be installed on newly cut slopes to prevent long-term effects of erosion and weathering. Matting, armor, revegetation, or biotechnical methods would be installed at the completion of slope construction and selected erosion control material would provide soil stabilization and promote vegetation growth. Thus, impacts from soil erosion following project completion would be *less than significant*.

- c. As noted above, no liquefiable materials were observed on the project site. Lateral spreading is a failure within a nearly horizontal soil zone (possibly due to liquefaction) that causes the overlying soil mass to move toward a free face or down a gentle slope. Due to the lack of liquefiable materials encountered at the site, the potential for lateral spread is also low. Therefore, the project site is not underlain by unstable soils and impacts are *less than significant*.
- d. Near surface soils on the project site exhibit high expansion potential with a Plasticity Index (PI) value of 34 with a Liquid Limit of 51, as documented by Terrasearch in a boring just east of the Sand Creek confluence. Expansive soils shrink and swell as a result of moisture changes, which can cause soil heaving and cracking. No buildings are proposed as part of the project, and furthermore, the proposed project would implement **Mitigation Measure GEO-1**, which requires the project to comply with all recommendations specified in Section 3.3 of the Geotechnical Report. There would be a *less than significant impact* from expansive soils.
- e. No septic tanks or alternative wastewater disposal systems are included in the proposed project, and there would be *no impact*.

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## 5.7 Greenhouse Gas Emissions

### 5.7.1 Background

#### General

Global climate change refers to any significant change in climate measurements, such as temperature, precipitation, or wind, lasting for an extended period (i.e., decades or longer) (U.S. EPA 2014). Climate change may result from:

- natural factors, such as changes in the sun's intensity or slow changes in the Earth's orbit around the sun;
- natural processes within the climate system (e.g., changes in ocean circulation, reduction in sunlight from the addition of greenhouse gas (GHG) and other gases to the atmosphere from volcanic eruptions); and
- human activities that change the atmosphere's composition (e.g., through burning fossil fuels) and the land surface (e.g., deforestation, reforestation, urbanization, desertification).

The primary change in global climate has been a rise in the average global tropospheric temperature of 0.2 degree Celsius per decade, determined from meteorological measurements worldwide between 1990 and 2005. Climate change modeling using 2000 emission rates shows that further warming is likely to occur, which would induce further changes in the global climate system during the current century (IPCC 2007). Changes to the global climate system and ecosystems, and to California, could include declining sea ice and mountain snowpack levels, rising average global sea levels, and many other potentially severe problems (IPCC 2007).

The natural process through which heat is retained in the troposphere<sup>11</sup> is called the "greenhouse effect." The greenhouse effect traps heat in the troposphere through a threefold process as follows: (1) short-wave radiation in the form of visible light emitted by the Sun is absorbed by the Earth as heat; (2) long-wave radiation is re-emitted by the Earth; and (3) GHGs in the upper atmosphere absorb or trap the long-wave radiation and re-emit it back towards the Earth and into space. This third process is the focus of current climate change actions.

While water vapor and carbon dioxide (CO<sub>2</sub>) are the most abundant GHGs, other trace GHGs have a greater ability to absorb and re-radiate long-wave radiation. To gauge the potency of GHGs, scientists have established a Global Warming Potential (GWP) for each GHG based on its ability to absorb and re-emit long-wave radiation over a specific period. The GWP of a gas is determined using CO<sub>2</sub> as the reference gas, which has a GWP of 1 over 100 years (IPCC 1996).<sup>12</sup> For example, a gas with a GWP of 10 is 10 times more potent than CO<sub>2</sub> over 100 years. The use of GWP allows GHG emissions to be reported using CO<sub>2</sub> as a baseline. The sum of each GHG

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<sup>11</sup> The troposphere is the bottom layer of the atmosphere, which varies in height from the Earth's surface to 10 to 12 kilometers).

<sup>12</sup> All Global Warming Potentials are given as 100-year values.

multiplied by its associated GWP is referred to as “carbon dioxide equivalents” (CO<sub>2</sub>e). This essentially means that 1 metric ton of a GHG with a GWP of 10 has the same climate change impacts as 10 metric tons of CO<sub>2</sub>.

### Regulatory Setting

In 2005, in recognition of California’s vulnerability to the effects of climate change, then-Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emissions of GHGs would be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 MMTCO<sub>2</sub>e); by 2020, reduce emissions to 1990 levels (estimated at 427 MMTCO<sub>2</sub>e); and by 2050 reduce statewide GHG emissions to 80 percent below 1990 levels (approximately 85 MMTCO<sub>2</sub>e).

In response, the California legislature passed Assembly Bill No. 32 in 2006 (California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction from forecast emission levels) (OPR 2008).

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. Assembly Bill 32 (AB 32) *Climate Change Scoping Plan* indicates how reductions in significant GHG sources will be achieved through regulations, market mechanisms, and other actions. The AB 32 Scoping Plan recommendations are intended to curb projected business-as-usual growth in GHG emissions and reduce those emissions to 1990 levels.

### 5.7.2 Environmental Checklist and Discussion

GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose or reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### DISCUSSION:

- a. Implementation of the proposed project would result in small increases of GHG emissions that are associated with global climate change. Estimated GHG emissions attributable to the proposed project would be primarily associated with increases of CO<sub>2</sub> from mobile sources including construction haul trucks (to off-haul excavated materials), and equipment used during the construction of the proposed project. There would be minimal operational GHG emissions for reasons presented below.

## Construction

During implementation of creek restoration activities, GHGs would be emitted from the operation of construction equipment and from construction worker vehicles and haul truck trips to and from the project site. GHG emissions during construction were estimated using the CalEEMod model. Based on CalEEMod, construction activities on the project site would generate approximately 44.6 MTCO<sub>2e</sub> in 2017. There are no quantitative thresholds put forth by the BAAQMD for the evaluation of the significance of a project's construction emissions. However, these estimated one-time emissions are lower than the 1,100 MTCO<sub>2e</sub> threshold that is put forth by the BAAQMD for the evaluation of the impact from a project's operation emissions. Therefore, the emissions are considered too small to result in a significant change in global climate change. The impact from the construction phase GHG emissions associated with the proposed project would be *less than significant*.

## Operation

A small number of periodic vehicle trips would be made to the project site initially for monitoring the success of the plantings and in the long run for creek maintenance. The number of vehicle trips to monitor the plantings would be minimal and would not substantially increase GHG emissions. The vehicle trips for creek maintenance would be about the same number as the trips currently made to the area by the District staff under current conditions. The impact from operational emissions would be *less than significant*.

- b. The proposed project would result in a minimal increase in GHG emissions, as described above. Therefore, the proposed project would not conflict with AB 32 or other state laws and regulations related to GHG emissions and the impact would be *less than significant*.

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## 5.8 Hazards and Hazardous Materials

### 5.8.1 Background

Nearby land uses are primarily residential subdivisions, Willow Wood School/Dainty Center, city parks, and vacant lands planned for residential development and city parks. Historically, Marsh Creek has been highly modified by the District and various agricultural activities. Pesticides may be present in soils due to historic agricultural use of the site and surrounding areas. However, a Phase I ESA analysis prepared in 2003 for the adjacent Pulte project site, determined that DDE and DDT chlorinated pesticide concentrations on the Pulte project site were less than 0.079 parts per million (ppm), and DDT concentrations were less than the detection limit of 0.010 ppm (City of Brentwood 2014b). Existing hazardous materials use in the creek area is limited to the use of certain herbicides to control invasive species and use of fuel in vehicles used to access the various portions of the creek.

### 5.8.2 Environmental Checklist and Discussion

HAZARDS & HAZARDOUS MATERIALS	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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## DISCUSSION:

### *Project*

- a., b.** There are no known environmental hazards on the project site. The proposed project would not involve routine use, storage, transport, and disposal of hazardous materials in any significant quantities. Small quantities of hazardous materials, including fuel for construction equipment would be used on-site during construction activities. All activities would comply with state and federal hazard and hazardous material regulations, thus the risk associated with the routine transport, use, and disposal of hazardous materials would be minimal. The impacts related to hazardous materials would be *less than significant*.
- c.** Willow Wood School/Dainty Center is the nearest school to the project site, located approximately 50 feet to the east of the Upper Reach between Central Boulevard and Dainty Avenue. However, the proposed project would not involve handling of hazardous or acutely hazardous materials, substances, or waste. Therefore, *less than significant* impacts would occur. .
- d.** According to CERCLIS, Geotracker, and EnviroStor database searches for known hazardous materials contamination, conducted on May 25, 2016, the project site is not located on a property associated with a hazardous site listed under Government Code Section 65962.5, also known as the Cortese List. As a result, the proposed project would not create a significant hazard to the public or the environment associated with a hazardous site listed under Government Code Section 65962.5. There would be *no impact*.
- e., f.** The project site is not located within 2 miles of a public or private airport. The closest airport is the Byron Airport-C83 located approximately 8 miles southeast of the project site. No structures are proposed as part of the project. There would be *no impact*.
- g.** Implementation of the proposed project would have no effect on emergency evacuation plans for the surrounding area. The project site is a 4,000 linear feet section of Marsh Creek. The surrounding area is primarily agricultural, residential, and vacant lands planned for residential development and city parks. Creek restoration activities would produce 24,000 cubic yards of excavated soils. About 4,000 cubic yards of the excavated soils would be used on-site as fill while the remaining 20,000 cubic yards would require haul trucks to transport and dispose of the

materials off-site. Due to the volume involved and the provision in the project to stockpile the excavated materials and remove when needed, a large number of vehicle trips would not be generated that could interfere with emergency access to or from the areas adjoining the project site during construction. Access to the site would be from Griffith Lane, a cul-de-sac connecting to Central Boulevard or from the soon-to-be constructed Bella Drive and Island Palm Way within the Pulte Development east of the project site. Construction work and associated vehicle trips would not restrict access to or block any public roads and would not interfere with an adopted emergency response or evacuation plan. Additionally, the project contractor would be required to notify emergency personnel with construction details and schedule prior to the start of construction. The impact would be *less than significant*.

- h.** The project site is located in a Non-Very High Fire Hazard Severity Zone area and is designated as a Local Responsibility Area (CalFire 2009). Implementation of the proposed restoration activities would not result in the construction of structures on the project site or increase the site's overall fire hazard severity. Therefore, implementation of the proposed project would not increase risks to the public from wildfires. There would be *no impact*.



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## 5.9 Hydrology and Water Quality

### 5.9.1 Background

At the project location, Marsh Creek is a perennial, 4<sup>th</sup> order stream.<sup>13</sup> The watershed originates in the Morgan Territory on the north side of Mt. Diablo and covers some 128 miles<sup>2</sup>. Marsh Creek flows for 30 miles and empties into the tidally influenced Dutch Slough, and then Big Break and the lower San Joaquin River (Wood 2016).

Marsh Creek Dam, located near Briones Valley and approximately 3.9 miles upstream of the project, was constructed in 1963 and impounds runoff from approximately 38 percent of the Marsh Creek watershed. The four major tributaries draining into Marsh Creek are Briones Creek, Dry Creek, Deer Creek and Sand Creek. The confluence of Briones and Marsh Creeks is at the Marsh Creek Reservoir; Dry Creek flows into Marsh Creek approximately 0.5 mile upstream of the project site; and Deer and Sand Creeks flow into Marsh Creek within the project site. Historically, much of the lower reaches of Marsh Creek were dry in the summer. Currently, flowing surface water is present from lower Marsh Creek to its mouth; these flows are made up primarily of water resulting from an elevated water table caused by runoff from agricultural and landscape irrigation and urban discharges (Wood 2016).

The project site is located in FEMA Flood Zone AE, an area subject to inundation with a 1.0 percent annual-chance of flood (FEMA 2016).

### 5.9.2 Environmental Checklist and Discussion

HYDROLOGY & WATER QUALITY		Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...					
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>13</sup> See [http://en.wikipedia.org/wiki/Strahler\\_Stream\\_Order](http://en.wikipedia.org/wiki/Strahler_Stream_Order) for descriptions of stream orders.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## DISCUSSION:

- a. During construction of the proposed project, there is a potential for increased erosion, sedimentation, and discharge of polluted runoff from the project site. As discussed in Response b in Section 5.6 above, NPDES requires that the proposed project develop and implement a SWPPP, including control measures (or Best Management Practices) to control erosion and release of sediment and other pollutants from the site. The SWPPP would ensure that construction activities would not cause an exceedance of the Central Valley Regional Water Quality Control Board's (RWQCB) water quality standards. As a result, the project's construction activities would not result in an exceedance of a water quality standard and the impact would be *less than significant*.

Operation of the proposed project would decrease creek flow velocities and erosion potential while improving water quality. The project would reduce the potential for erosion and sediment transport by lowering the water stage, reducing the velocity by widening the cross-sectional velocity of the channel, and establishing native riparian vegetation where compatible with the

flood management objectives. The planting of vegetation such as trees along the widened creek channel would provide shade for surface waters, thereby decreasing water temperatures and increasing the currently low dissolved oxygen levels. Thus, the proposed project would reduce erosion and improve water quality on the project site as compared to existing conditions. As a result, the project would not involve any activity that would result in an exceedance of a water quality standard and the impact would be *less than significant*.

- b. Implementation of the proposed project would not result in any groundwater extraction. Additionally, the restoration activities would not increase impervious surfaces on the project site, and therefore would not interfere with groundwater recharge. There would be *no impact*.
- c. Channel widening would reduce flow velocity and thereby reduce the potential for scour and erosion, although as noted in the Project Description, detailed hydraulic modeling may indicate that some bank armoring is necessary where the expanded channel will taper down to the existing channel at the downstream project boundary or in other locations. By including appropriate erosion and scour control measures, lowering the water stage, reducing flow velocity by widening the creek channel, and establishing native riparian vegetation, the proposed project would reduce erosion potential of the creek section. The impact related to soil erosion would be *less than significant*.
- d. Implementation of the proposed project would not negatively impact Marsh Creek, its tributaries or alter drainage patterns of the surrounding area to cause excess runoff or floods. No impervious development would occur as part of the project that would increase the volume of storm water runoff. The project site is located in FEMA Flood Zone AE, an area subject to inundation with a 1.0 percent annual-chance of flood. The proposed project is an innovative non-structural approach to flood management that focuses on giving the creek more room to safely convey flood waters. Restoration activities would entail increasing the cross-sectional area of the stream channel by excavating earth along both banks of the Upper Reach and Middle Reach to create new floodplain benches and along the east bank of the Lower Reach to create a new 10 to 40 foot floodplain. The purpose of the channel widening is to create enough conveyance capacity to safely convey large flood flows known to Marsh Creek. The newly created flood benches and floodplain would be inundated when flows in the creek rise during typical storm that reoccur nearly annually. Thus, the proposed project would improve creek flow to reduce impacts from flood hazards. Impacts would be *less than significant*.
- e. As previously mentioned, the proposed project would be required to implement a SWPPP, which will include erosion and water pollution control measures, to control off-site sediment delivery during construction. As a result, the proposed project would not provide substantial additional sources of polluted runoff. Operational impacts to polluted runoff are discussed in Response a above. This impact is considered *less than significant*.
- f. Currently, poor water quality within the creek from urban run-off is made worse by the lack of wetlands, shade, and microbial activity. Relatively high temperatures combined with low dissolved oxygen levels have caused four major fish kills on Marsh Creek over the last nine years. As mentioned above, the proposed project would plant trees along the creek section to provide shade thereby decreasing water temperatures. Planting native riparian vegetation within the

widened creek would also help increase dissolved oxygen levels and improve water quality. Therefore, impacts would be beneficial and *less than significant*.

- g.-j.** The project site is located within a federally designated 100-year flood hazard area. However, no housing or structures are proposed as part of the planned channel widening and restoration activities. The project site is not in an area that could be inundated by a seiche, tsunami, or mudflow. There would be *no impact*.

## 5.10 Land Use and Planning

### 5.10.1 Background

The project is located along Marsh Creek in the City of Brentwood. Lands surrounding the project area are developed with residences and city parks, and vacant lands are planned for residential development and city parks.

### 5.10.2 Environmental Checklist and Discussion

LAND USE & PLANNING	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### DISCUSSION:

- a. Residential subdivisions are present on both sides of the creek and an approved subdivision is planned for the vacant land to the east of the Lower Reach. However, there is no established community located on the project site and due to the nature of the creek restoration project, *no impact* would occur.
- b. The project site is mapped as a waterway in the General Plan. The City's General Plan is not applicable to the project. Furthermore, the project would not change the land use of the parcels that contain the creek. Therefore, there would be *no impact*.
- c. The proposed project is within the ECCC HCP/NCCP, and anticipated project impacts would be mitigated through the payment of a Development Fee and Wetland Impact fee (or on-site restoration) to the East Contra Costa County Habitat Conservancy. Therefore, the proposed project would not conflict with the provisions of an adopted HCP or NCCP and there would be *no impact*.

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## 5.11 Mineral Resources

### 5.11.1 Background

Within the City of Brentwood, mineral resources include sand, gravel, coal, oil, and gas. In general, sand is likely the most significant economic mineral deposit found. It is possible that significant deposits of coal and specialty sand remain in the western portion of Brentwood, within the Domengine sandstone. Oil and gas have been sporadically produced in the region since 1864 and are recovered from sands mostly of the Eocene age, at depths of approximately 4,000 feet. The potential for additional oil and gas reserves exists within the city. Dry gas is presently being produced in the northeast portion of Brentwood, and the potential for additional reserves exists throughout the area (City of Brentwood 2014a). Aggregate resource areas within the City of Brentwood are classified as either MRZ-1 or MRZ-4 in SMARA Mineral Land Classification Maps.<sup>14</sup> Mineral resource extraction is not permitted under the Resource Management Directives of the Department of Parks and Recreation.

There are no existing active oil or gas wells or mineral extraction on or in the vicinity of the project site.

### 5.11.2 Environmental Checklist and Discussion

MINERAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### DISCUSSION:

- a. - b.** The project site is located along Marsh Creek. There are no mineral resources on the project site and no mineral extraction occurs or is known to have occurred on the project site. There would be *no impact*.

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<sup>14</sup> MRZ-4 are areas where available information is inadequate for assignment to any other MRZ classification. MRZ-1 Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.

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## 5.12 Noise

### 5.12.1 Background

Noise-sensitive land uses generally include those uses where exposure to noise would result in adverse effects, as well as uses where quiet surroundings are an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Other noise-sensitive land uses include hospitals, convalescent facilities, parks, hotels, churches, libraries, and other uses where low interior noise levels are essential.

The project site is located along Marsh Creek where the surrounding areas are being rapidly urbanized with residential and commercial uses. The primary noise sources in the project area include traffic noise from local roadways. The Union Pacific Railroad, located approximately 175 feet north of the Lower Reach is currently inactive. The closest highway, SR-4 is located approximately 2.2 miles west of the project site. Residential homes, a daycare center, city parks, and vacant lands are adjacent to the project site.

The nearest sensitive receptors to the Upper Reach are located within Willow Wood School/Dainty Center and residential neighborhoods less than 50 feet to the east. There are also residential neighborhoods located approximately 100 feet to the west of Central Boulevard and Marsh Creek up to Deer Creek.

Lands to the east of the Middle Reach are also developed with single-family residences and the nearest receptors are about 50 feet from the proposed construction activities.

The nearest sensitive receptors to the Lower Reach are single-family homes and Sungold Park located less than 50 feet to the west.

### 5.12.2 Environmental Checklist and Discussion

NOISE	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- |   |                          |                                     |                          |                                     |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- 

## DISCUSSION:

- a. The potential for construction noise to exceed the City of Brentwood noise standards are detailed in Response d below. Once the project is constructed, there would be no increase in operational noise in the project area due to the project. Creek restoration may increase visitors utilizing the Marsh Creek Trail. However this increase would not be substantial enough to cause noise levels to increase above the City's noise standards. Thus, the impact would be *less than significant*.
- b. Channel widening and restoration activities would not require pile-driving, blasting, or other activities that could cause substantial groundborne vibration or noise. Project construction activities would include the use of tractors, loaders, excavators, graders, which are not sources of significant groundborne vibration or noise. Haul trucks could result in some level of vibration while hauling materials off-site. However, the vibrations would be the range that is experienced in urban areas from truck movement. The impact would be *less than significant*.
- c. Implementation of the proposed project would not add any new sources of noise to the project area. The creek section is currently maintained by the District and will continue to be upon project implementation, thereby not increasing vehicle trips for maintenance. In the first few years of project operation, monitoring of the restoration efforts would add a small number of vehicle trips to the project site. In addition, due to restoration of riparian vegetation along the creek banks and trail improvements, the project would improve the experience of the trail users as well as provide areas where trail users can stop in shade and enjoy the beauty of the creek. This may result in an increase in visitors to the creek and a resultant increase in vehicular traffic to parking facilities near Marsh Creek. However this increase would not be substantial compared to existing conditions. Therefore, there would not be a substantial permanent increase in noise levels related to mobile sources. The impact would be *less than significant*.
- d. Construction activities would require the use of tractors, loaders, excavators, graders, and haul trucks. The number of construction vehicle trips would increase, depending on the specific activity that is underway. Also the location of the construction activities would differ with each reach and all of the improvements may not be constructed within the same timeframe on all three reaches. Furthermore, sensitive receptors that are proximate to one reach would be affected by

the noise from construction on that reach and generally would not be affected by noise generated by the work on other reaches due to distance and attenuation.

The area to the east of the Upper Reach is developed with residential neighborhoods that are less than 50 feet away from the proposed widening. A school and daycare center is also located on the east bank of the creek just north of Dainty Avenue. Land to the west between Dainty Avenue and Central Boulevard is owned by the District and is vacant. Residential neighborhoods are present to the west of Central Boulevard and Marsh Creek up to Deer Creek (approximately 100 feet from the proposed activities). Construction activities in the Upper Reach would take place over the short timeframe of about 2 weeks.

Lands to the east of the Middle Reach are also developed with single-family residences and the nearest receptors are about 50 feet from the proposed construction activities. Lands to the west of the Middle Reach are vacant and no sensitive receptors are present in that area. Construction activities in the Middle Reach would take place over 1 to 2 weeks.

Lands to the east of the Lower Reach are undeveloped at this time although future city parks are planned adjacent to the creek and the remaining area is the site of the approved Pulte residential subdivision. Single-family homes and a city park (Sungold Park) are located to the west of the Lower Reach (less than 50 feet). Construction activities would take place over about 4 weeks.

Construction activities and traffic would cause temporary increases in noise due to site grading, use of construction equipment, and operation of construction vehicles. Construction equipment would be operated intermittently over the course of construction on each reach. Routine noise levels from conventional construction activities (with a typical mix and number of pieces of equipment operating on the site) range from 75 to 86 dB(A) equivalent continuous noise level (Leq) at a distance of 50 feet, from 69 to 80 dB(A) Leq at a distance of 100 feet, from 55 to 66 dB(A) Leq at a distance of 500 feet, and 48 to 60 dB(A) Leq at a distance of 1,000 feet. Noise levels at the nearest sensitive receptors are likely to be lower because the small size of the project would require only a few pieces of construction equipment and they would be operating for a relatively short time during the construction period.

Nonetheless, noise from channel widening and restoration activities could impact the surrounding residences, school and daycare center, and park facilities that are located less than 50 feet from various work areas along the creek section. However, with implementation of **Mitigation Measure NOISE-1**, which requires the project to comply with the Brentwood Noise Ordinance and limits construction activities to daytime hours, the impact would be *less than significant*.

#### **Mitigation Measure NOISE-1**

The project contractor shall ensure that construction activities shall be limited to the hours set forth in Brentwood Municipal Code Section 9.32.050, as follows:

Outside Heavy Construction:	Monday-Friday	8:00 AM to 5:00 PM
	Saturday	9:00 AM to 4:00 PM

- e., f. The project site is not located within 2 miles of a public or private airport. The closest airport is the Byron Airport-C83 located approximately 8 miles southeast of the project site. No structures are proposed as part of the project. There would be *no impact*.

## 5.13 Population and Housing

### 5.13.1 Background

The project site is surrounded by residential uses, a private elementary school and daycare center, city parks, vacant land planned for residential use and city parks, and vacant land. The project site does not include any housing.

### 5.13.2 Environmental Checklist and Discussion

POPULATION & HOUSING	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### DISCUSSION:

- a. The proposed project does not include the construction of homes and/or businesses. In addition, the proposed project would not construct any new roads or infrastructure that could support future development. As a result, the proposed project would not induce substantial population growth in the area, either directly or indirectly. There would be *no impact*.
- b.- c. There are no residences on the project site or people currently living on the site. Impacts from project implementation would not affect the existing residences adjacent to the creek section. As a result, the proposed project would not displace any housing or people. There would be *no impact*.



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## 5.14 Public Services

### 5.14.1 Background

The proposed project is the implementation of creek widening and restoration activities. There are no structures on the project site and implementation of the proposed project would not include the construction of any habitable structures.

### 5.14.2 Environmental Checklist and Discussion

PUBLIC SERVICES	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### DISCUSSION:

##### *Project*

- a.i. Fire protection services in the project vicinity are provided by the East Contra Costa Fire Protection District (ECCFPD). Implementation of the proposed project would not increase population growth in the area, and thus would not affect the ECCFPD services or response time.

The project site is located in a Non-Very High Fire Hazard Severity Zone area and is designated as a Local Responsibility Area.<sup>15</sup> Implementation of the proposed project would not result in the construction of structures on the project site or increase the site's overall fire hazard severity.

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<sup>15</sup> CalFire Contra Costa County Fire Hazard Severity Zone Map, Local Responsibility Area, [http://frap.fire.ca.gov/webdata/maps/contra\\_costa/fhszl\\_map.7.pdf](http://frap.fire.ca.gov/webdata/maps/contra_costa/fhszl_map.7.pdf), accessed June 1, 2016.

Therefore, implementation of the proposed project would have *no impact* on fire protection services.

- a.ii.-v.** Implementation of the proposed project would not indirectly or directly increase the population. Police services are provided by the City of Brentwood Police Department. Channel widening and restoration activities would not impact existing police services or response time. Further, implementation of the proposed project would not increase the need for school or park facilities, or other facilities such as public libraries. There would be *no impact*.

## 5.15 Recreation

### 5.15.1 Background

The project site is located along Marsh Creek and there are no structures on the project site. Sungold Park is located adjacent to the west of the Lower Reach. Additionally, a vacant City-owned parcel is located on the east side of the Upper Reach just south of Central Boulevard. There is a vacant strip of land to the west between the creek and Central Boulevard owned by the District and City of Brentwood.

### 5.15.2 Environmental Checklist and Discussion

RECREATION	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### DISCUSSION:

- a., b. Due to the nature of the proposed project, its implementation would not induce population growth that would increase demand for recreational facilities. There would be no deterioration of recreational facilities (including the project site) due to implementation of the restoration activities, rather the creek restoration activities would improve the overall condition of the creek. The Marsh Creek Trail would be relocated as part of the proposed project in the Middle and Upper Reaches. The Pulte developer would relocate the trail section in the Lower Reach. The trail would be in the same general alignment and would be depressed in the area of Central Boulevard to pass under the roadway. The proposed project would enhance opportunities for strolling, hiking, and biking along Marsh Creek. Furthermore, the lower 1,600 feet of the project would be integrated into a new linear city park, which would provide passive recreation amenities and native landscaping consistent with creek restoration. There would be *no impact*.

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## 5.16 Transportation and Traffic

### 5.16.1 Background

Local access to the creek section is provided from the south via Central Boulevard and from the north via O'Hara Avenue and Sand Creek Road. SR-4 is located approximately 2.2 miles west of the project site and provides regional access to the project site.

### 5.16.3 Environmental Checklist and Discussion

TRANSPORTATION & TRAFFIC	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards established by the county congestion management agency for designated roads and highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### DISCUSSION:

- a., b.** Implementation of the proposed project would not induce population growth on the project site or in its vicinity such that new vehicle trips would be generated. In addition, the proposed project

would not construct any new roads or infrastructure that could support future development. However, creek widening and restoration activities such as off-hauling of excavated fill material would require the use of construction haul trucks and would temporarily increase the number of vehicles accessing the project site. Construction vehicles would access the project site via local roadways and existing maintenance roads or the regional trail along the creek. However, construction activities on the Upper and Middle Reaches would involve no more than 2 weeks for each reach, and the Lower Reach work would at most involve up to 30 days. Due to the small scale and short duration of the project, project construction would not generate a large number of vehicle trips. Once construction is completed, the creek section will continue to be maintained by the District, thereby not increasing vehicle trips for maintenance. In the first few years of project operation, monitoring of the restoration efforts would add a small number of vehicle trips to the project site. In addition, due to restoration of riparian vegetation along the creek banks and trail improvements, the project would improve the experience of the trail users as well as provide areas where trail users can stop in shade and enjoy the beauty of the creek. This may result in an increase in visitors to the creek and a resultant increase in vehicular traffic to parking facilities near Marsh Creek. However this increase would not be substantial compared to existing conditions. Therefore, the project would not conflict with applicable transportation plans, congestion management program, policies, or ordinances or result in congestion on Central Boulevard, O'Hara Avenue, Sand Creek Road, or SR-4. The impact would be *less than significant*.

- c. Implementation of the proposed project would not result in the construction of permanent structures and would have no effect on air traffic patterns and existing air traffic safety. There would be *no impact*.
- d.-f. Implementation of the proposed project would not result in the construction of roads or infrastructure. As mentioned in **Section 2.4.6** above, the proposed project would route the regional trail under an existing road bridge thereby eliminating two dangerous intersections where the existing trail crosses busy roadways (Dainty Avenue and Central Boulevard). The proposed project would reduce the gradient of the steep slope between the creek and the trail and provide a new foot trail and a new pedestrian bridge that would allow additional access for people to cross the creek within the Middle Reach. Therefore the proposed project would improve pedestrian walkability and there would be *no impact*.

The proposed project would not adversely impact the nearby roadways. All creek restoration activities would take place on the project site. Emergency access to nearby residences as well as public transit, bicycle, and pedestrian facilities would not be impeded by implementation of the proposed project. There would be *no impact*.



## 5.17 Utilities and Service Systems

### 5.17.1 Background

There are no existing buildings on the project site. A City of Brentwood sewer main is located on the west side of the Upper Reach. For most of the length, the sewer is within the Central Boulevard right of way. However, a portion of this sewer is located within one of the District's parcels where flood control improvements would be constructed. The sewer line is over 15 feet deep, at least 4 feet below the flow line of the creek. However, the sewer line is below the maximum depth of excavation and would not be relocated.

Near Sand Creek confluence in the Middle and Lower Reach, the sewer main crosses under the creek and continues north along the east bank of the Lower Reach. In the Lower Reach, the sewer line is located within the area that would be excavated to create the easterly floodplain.

### 5.17.2 Environmental Checklist and Discussion

UTILITIES & SERVICE SYSTEMS		Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the providers existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

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## DISCUSSION:

- a., e. Implementation of the proposed project would not generate any wastewater. Therefore, implementation of the proposed project would not result in any exceedances of any wastewater requirements. There would be *no impact*.
- b. The proposed project would not increase demand for water or generate wastewater. It would be the responsibility of the construction contractor to obtain water that would be used for dust control during construction activities. The contractor would obtain water from an off-site source and truck it to the construction sites. Reintroduced native vegetation and proposed trees may require irrigation for the first few years. Irrigation practices may include the use of Dri-Water time release gel packs and if necessary, piped water, which would be available from adjacent subdivisions and city parks. Upon successful establishment, the new vegetation and trees would rely upon precipitation, storm water runoff from the surrounding areas, and creek inundation. Implementation of the proposed project would not require irrigated water or generate wastewater. Therefore, the proposed project would not require the expansion of existing water or wastewater facilities or construction of a new water or wastewater facility. There would be *no impact*.

With respect to the sewer line in the project area, the proposed project would not relocate the sewer line. In the Lower Reach, minor modifications to sewer manholes may be required to accommodate changes in ground elevation. In all cases, grading would be performed around manholes so that potential spills from manholes would initially drain away from Marsh Creek.

- c. Implementation of the proposed project would not increase impervious surfaces on the project site that would generate additional storm water. The existing Marsh Creek Trail is paved. While that pavement will be removed, the same amount of pavement would be placed to create the relocated trail. Additionally, pervious pavement is being considered for use on the relocated trail and if utilized would reduce runoff. Therefore, there would be *no impact* related to construction of new storm water facilities to handle project runoff.
- d. Implementation of the project activities would not require potable water. There would be *no impact* to existing water supplies.
- f., g. The proposed project would not create any additional solid waste. There would be *no impact* to solid waste facilities or regulations relating to solid waste.

## 5.18 Mandatory Findings of Significance

MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project...				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### DISCUSSION:

- a. Please refer to responses under Biological Resources items (a) through (f), and Cultural Resources items (a) through (e), above. Future development on the project site would not significantly affect fish or wildlife habitat, nor would it eliminate examples of California history or prehistory. With the implementation of **Mitigation Measures BIO-1** through **BIO-4** and **Mitigation Measures CUL-1** and **CUL-2**, identified above in this Initial Study, all impacts would be reduced to a less than significant level and the proposed project would not degrade the quality of the environment. Impacts under this criterion would be *less than significant*.
- b. Implementation of the proposed restoration project would not result in cumulative impacts. Creek restoration activities would manage flows, restore native vegetation, improve water quality within Marsh Creek, and improve walkability of the existing Marsh Creek Trail. No structures are proposed for the project and creek restoration activities would not directly or indirectly induce population growth. Therefore *less than significant* cumulative impacts from the proposed project have been identified.
- c. The proposed project would not directly or indirectly cause substantial adverse effects on human beings. Air emissions and noise from construction activities would be the only impacts through which the proposed project could have an effect on human beings; however, all construction-

related air quality and noise impacts would be mitigated to less than significant levels by implementation of **Mitigation Measures AIR-1, AIR-2,** and **Mitigation Measure NOISE-1** and would therefore avoid causing substantial adverse effects on human beings. Further, compliance with **Mitigation Measure GEO-1** would ensure a stabilized design for a flood conveyance zone. For all other resource areas, the proposed project would either have *less than significant* impacts, or, impacts that would not affect human beings.

## 6. REFERENCES

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# MITIGATION MONITORING AND REPORTING PROGRAM

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The California Environmental Quality Act (CEQA) requires that a Lead Agency establish a program to monitor and report on mitigation measures adopted as part of the environmental review process to avoid or reduce the severity and magnitude of potentially significant environmental impacts associated with project implementation. CEQA (Public Resources Code Section 21081.6 (a) (1)) requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted at the time that the public agency determines to approve a project for which an EIR or a Negative Declaration (ND) has been prepared, to ensure that mitigation measures identified in the EIR or ND are fully implemented.

The MMRP for the Three Creeks Parkway Restoration project is presented in **Table 4.0-1, Mitigation and Monitoring Reporting Program**. **Table 4.0-1** includes the full text of project-specific mitigation measures identified in the Initial Study/Mitigated Negative Declaration. The MMRP describes implementation and monitoring procedures, responsibilities, and timing for each mitigation measure, including:

**Number:** Identifies the number of the mitigation measure.

**Mitigation Measure:** Provides full text of the mitigation measure as provided in the final Initial Study/Mitigated Negative Declaration.

**Monitoring/Reporting Action(s):** Designates responsibility for implementation of the mitigation measure and when appropriate, summarizes the steps to be taken to implement the measure.

**Mitigation Timing:** Identifies the stage of the project during which the mitigation action will be taken.

**Monitoring Schedule:** Specifies procedures for documenting and reporting mitigation implementation.

The Contra Cost County Flood Control and Water Conservation District and American Rivers may modify the means by which a mitigation measure will be implemented, as long as the alternative means ensure compliance during project implementation. The responsibilities of mitigation implementation, monitoring, and reporting extend to several district departments and offices. The manager or department lead of the identified unit or department will be directly responsible for ensuring the responsible party complies with the mitigation. The Contra Costa County Flood Control and Water Conservation District is responsible for the overall administration of the program and for assisting relevant departments and project managers in their oversight and reporting responsibilities. The Contra Costa County Flood Control and Water Conservation District is also responsible for ensuring the relevant parties understand their charge and complete the required procedures accurately and on schedule.

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**Table 1**  
**Mitigation Monitoring and Reporting Program**

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
<b>AIR QUALITY</b>				
<b>AIR-1:</b>	<p>The construction contractor(s) shall implement the following BMPs during project construction:</p> <ul style="list-style-type: none"> <li>• All exposed surfaces (e.g., parking areas, staging areas, soil stockpiles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>• All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li> <li>• All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</li> <li>• All vehicle speeds on unpaved roads shall be limited to 15 mph.</li> <li>• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible.</li> <li>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li> <li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be</li> </ul>	<p>Contra Costa County Flood Control and Water Conservation District</p> <p>Include in construction contract(s)</p>	Monitor compliance during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>running in proper condition prior to operation.</p> <ul style="list-style-type: none"> <li>Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>			
<b>AIR-2:</b>	All diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously during the duration of construction shall, at a minimum, meet U.S. EPA emissions standards for Tier 2 engines or equivalent.	<p>Contra Costa County Flood Control and Water Conservation District</p> <p>Include requirement in construction contract(s)</p>	During construction	Confirm and document during construction
<b>BIOLOGICAL RESOURCES</b>				
<b>BIO-1:</b>	<p>To avoid and minimize impacts to California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard during construction activities, the project will implement the following measures:</p> <ol style="list-style-type: none"> <li><u>Coverage under the HCP/NCCP.</u> The project proponent shall apply for coverage under the HCP/NCCP. Participation in the HCP/NCCP, including implementation of appropriate avoidance and minimization measures and payment of applicable fees would provide the project proponent with incidental take coverage for California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard.</li> <li><u>Seasonal Avoidance.</u> If required by the Streambed Alteration Agreement or Water Quality Certification, work shall be limited to the dry season, from April 15 to October 15.</li> <li><u>Minimize Nighttime Work.</u> If required by the Streambed Alteration Agreement or Water Quality Certification, nighttime construction shall be restricted to avoid effects on nocturnally active species such as California red-legged frog.</li> </ol>	<p>Contra Costa County Flood Control and Water Conservation District</p> <p>File application, obtain HCP/NCCP coverage, and implement measures by including them in the construction contract(s)</p>	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>4. <u>Environmental Awareness Program</u>. Prior to the commencement of construction activities, a qualified biologist shall present an environmental awareness program to all construction personnel working on site. At a minimum the training should include a description of special-status species that could be encountered, their habitats, regulatory status, protective measures, work boundaries, lines of communication, reporting requirements, and the implications of violations of applicable laws.</p> <p>5. <u>Wildlife Exclusion Fencing</u>. Prior to the start of construction, wildlife exclusion fencing (WEF) shall be installed as warranted and consistent with the HCP/NCCP to isolate the work area from any habitats potentially supporting special-status animals or through which such species may move. The final project plans shall indicate where and how the WEF is to be installed. The bid solicitation package special provisions shall provide further instructions to the contractor about acceptable fencing locations and materials. The fencing shall remain throughout the duration of the work activities, be regularly inspected and properly maintained by the contractor. Fencing and stakes shall be completely removed following project completion.</p> <p>6. <u>Best Management Practices (BMPs)</u>. Prior to the initiation of work, BMPs shall be in place to prevent the release of any pollutants or sediment into the creek, storm drains, or tributaries; all BMPs shall be properly maintained. Leaks, drips, and spills of hydraulic fluid, oil, or fuel from construction equipment shall be promptly cleaned up to prevent contamination of water ways. All workers shall be properly trained regarding the importance of preventing and cleaning up spills of contaminants. Protective measures should include, at a minimum: No discharge of pollutants from vehicle and equipment cleaning should be allowed into any storm drains or watercourses.</p> <p>a. Spill containment kits should be maintained onsite at all times during construction operations and/or</p>			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>staging or fueling of equipment.</p> <p>b. Coir rolls or straw wattles should be installed along or at the base of slopes during construction to capture sediment.</p> <p>7. <u>Erosion Control</u>. Graded areas shall be protected from erosion using a combination of silt fences, fiber rolls along toes of slopes or along edges of designated staging areas, and erosion control netting (such as jute or coir) as appropriate on sloped areas.</p> <p>8. <u>Construction Site Restrictions</u>. The following site restrictions shall be implemented to avoid adversely affecting sensitive habitats and harm or harassment to listed species:</p> <p>a. Any fill material shall be certified to be non-toxic and weed free.</p> <p>b. All food and food-related trash items shall be enclosed in sealed trash containers and removed completely from the site at the end of each day.</p> <p>c. No pets from project personnel shall be allowed anywhere in the project site during construction.</p> <p>d. No firearms shall be allowed on the project site except for those carried by authorized security personnel, or local, State or Federal law enforcement officials.</p> <p>e. All equipment shall be maintained such that there are no leaks of automotive fluids such as gasoline, oils or solvents and a Spill Response Plan shall be prepared. Hazardous materials such as fuels, oils, solvents, etc. shall be stored in sealable containers in a designated location that is isolated from wetlands and aquatic habitats.</p> <p>f. Servicing of vehicles and construction equipment including fueling, cleaning, and maintenance should occur only at sites isolated from any aquatic habitat</p>			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>unless separated by topographic or drainage barrier or unless it is an already existing gas station. Staging areas may occur closer to the project activities as required.</p> <p>9. <u>Proper Use of Erosion Control Devices</u>. Plastic mono-filament netting (e.g., that used with erosion control matting) or similar material shall not be used within the project area; wildlife can become entangled or trapped in such non-biodegradable materials. Acceptable substitutes include coconut coir matting, tackified hydroseeding, blown straw, or other organic mulching material.</p> <p>10. <u>Protocol for Species Observation – Pacific (Western) pond turtle and silvery legless lizard</u>. If a Pacific (Western) pond turtle or silvery legless lizard is encountered in the project site, work in the area of the finding must cease immediately until the animal either moves out of harm's way of its own accord or is safely relocated well upstream or downstream of the project site. Only a qualified biologist with a scientific collection permit issued by the CDFW may handle and relocate Pacific (Western) pond turtle or silvery legless lizard. Any sightings and relocation of Pacific (Western) pond turtle and silvery legless lizard should be reported to the CDFW and the CNDDDB.</p>			
<b>BIO-2:</b>	<p>To minimize and avoid impacts to Chinook salmon and steelhead, the following measures will be implemented:</p> <p>1. <u>Seasonal Avoidance</u>. In-stream work shall be limited to June 1 to October 31.</p> <p>2. <u>In-Stream Activities</u>: If in-stream construction or dewatering is required, the following precautionary measures should be implemented:</p> <p>a. A preconstruction survey of the aquatic environment</p>	<p>Contra Costa County Flood Control and Water Conservation District</p> <p>Retain qualified biologist to implement the measures.</p>	Prior to start and during construction	Confirm and document during construction



Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>shall be performed by a qualified biologist.</p> <p>b. A qualified biologist shall present an environmental awareness program working on site.</p> <p>c. A qualified biologist should monitor all in-stream activities.</p> <p>d. If dewatering is proposed, a qualified biologist should monitor the installation of coffer dams. During dewatering, a qualified biologist should check for stranded aquatic wildlife. Dewatering pumps must be fitted with intake screens with a mesh no greater than 5 mm (0.2 in) and BMPs will be installed to minimize sediment transport during installation of coffer dams.</p> <p>e. Native species (non-special-status fish species) should be relocated upstream or downstream of the cofferdams by a permitted biologist. Non-native species should be euthanized in accordance with the guidance of the CDFW. All wildlife encounters should be documented and reported to the CDFW. If listed salmonids are present, the NMFS shall be consulted to determine the appropriate measures to ensure conformance with ESA.</p>			
<b>BIO-3:</b>	<p>In order to avoid impacts to nesting Swainson's hawk, white-tailed kite, burrowing owl, loggerhead shrike, and other bird species protected under the MBTA and CFGC during project implementation, the measures outlined below shall be implemented.</p> <p>1. <u>Environmental Awareness Program.</u> Prior to the commencement of construction activities, a qualified biologist shall present an environmental awareness program to all construction personnel working on site. At a minimum the training shall include a description of special-status species that could be encountered, their habitats, regulatory status,</p>	<p>Contra Costa County Flood Control and Water Conservation District</p> <p>Retain qualified biologist to implement the measures.</p>	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>protective measures, work boundaries, lines of communication, reporting requirements, and the implications of violations of applicable laws.</p> <p>2. <u>Swainson's hawk</u> is a federally listed threatened species and is covered under the HCP/NCCP. Nonetheless, every effort should be made to ensure that no take of Swainson's hawk occurs. Therefore, the measures outlined below should be implemented.</p> <ol style="list-style-type: none"> <li>a. The project proponent should apply for coverage under the HCP/NCCP. Participation in the HCP/NCCP would provide the applicant with incidental take coverage for Swainson's hawk and satisfy any requirements for mitigation for loss of habitat.</li> <li>b. Prior to any ground disturbance during the nesting season (March 15-September 15), a qualified biologist shall conduct a preconstruction survey no more than one month prior to construction to determine if there are any active Swainson's hawk nests within 305 meters (1,000 feet) of the project site.</li> <li>c. If there are no occupied nests within this buffer, no further action is needed.</li> <li>d. If an active nest is present within this buffer, the measures outlined below shall be followed. <ul style="list-style-type: none"> <li>• Construction activities are not permitted within 305 meters (1,000 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a small buffer, a qualified biologist should coordinate with CDFW and USFWS to determine the appropriate buffer size.</li> <li>• Construction activities may proceed prior to</li> </ul> </li> </ol>			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>September 15 if the young Swainson's hawks have fledged, as determined by a qualified biologist.</p> <p>3. White-tailed kite is a state-listed fully protected species; it is not covered under the HCP/NCCP and incidental take of the species is not allowed. To ensure that no take of white-tailed kite or other migratory raptors occurs, the measures outlined below shall be implemented.</p> <ul style="list-style-type: none"> <li>a. Prior to any ground disturbance during the nesting season (February 1-August 31), a qualified biologist shall conduct a preconstruction survey no more than two weeks prior to construction to determine if there are any active nests of white-tailed kite or other migratory raptors within 76 meters (250 feet) of the project site.</li> <li>b. Prior to the removal or significant pruning of any trees, they shall be inspected by a qualified biologist for the presence of raptor nests. This is required during both the breeding season and non-breeding season. If a suspected raptor nest is discovered, the CDFW shall be notified. Pursuant to CFGC Section 3503.5, raptor nests, whether or not they are occupied, may not be removed until approval is granted by the CDFW.</li> <li>c. If there are no occupied nests within this buffer, no further action is needed.</li> <li>d. If an active nest is present within this buffer, the measures outlined below shall be implemented. <ul style="list-style-type: none"> <li>• Construction activities are not permitted within 76 meter (250 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a small buffer, a qualified biologist should</li> </ul> </li> </ul>			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>coordinate with the CDFW and/or USFWS to determine the appropriate buffer size. Nest monitoring may be warranted for activities that would occur within a smaller buffer.</p> <ul style="list-style-type: none"> <li>Construction activities may proceed prior to August 31 if the young white-tailed kites or other raptor species have fledged, as determined by a qualified biologist.</li> </ul> <p>4. Burrowing owl is a State species of special concern and a covered species under the HCP/NCCP. To ensure that no take of burrowing owl occurs, the measures outlined below shall be implemented.</p> <ol style="list-style-type: none"> <li>Prior to any ground disturbance during the nesting season (February 1-August 31), a CDFW-approved biologist shall conduct a preconstruction survey of all suitable burrowing owl habitat that would be affected by the project. The survey shall be performed no more than 30 days prior to construction to determine if there are any active nests of burrowing owl within 153 m (500 ft) of the project site, access permitting.</li> <li>If there are no occupied nests within this buffer, no further action is needed.</li> <li>If an active nest is present within this buffer, the measures outlined below shall be implemented. <ul style="list-style-type: none"> <li>If an occupied burrowing owl nest site is present within the limits of work, construction may not proceed. The taking of burrowing owls or occupied nests is prohibited under CFGC. Nest sites must be flagged and protected by a designated disturbance-free buffer zone of at least 76 meters (250 feet).</li> </ul> </li> <li>Construction activities are not permitted within</li> </ol>			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>76 meters (250 feet) of an occupied nest to prevent nest abandonment.</p> <ul style="list-style-type: none"> <li>• Construction may proceed if a qualified biologist monitors the nest and determines that the adults have not begun egg-laying and incubation or that the juveniles have fledged.</li> <li>• Burrowing owls may be passively excluded from occupied burrows outside of the breeding season (i.e., September 1-January 31), in consultation with the CDFW. All owls should be passively excluded from burrows within 49 meters (160 feet) of the work site. Passive exclusion is achieved by installing one-way doors in the burrow entrances. Doors should be in place for at least 48 hours and the site should be monitored daily for at least one week to confirm that the burrow has been abandoned.</li> </ul> <p>5. Loggerhead shrike is a state species of special concern; it is not covered under the HCP/NCCP and incidental take of the species is not allowed. To ensure that no take of loggerhead shrike or any other migratory passerines occurs, the measures outlined below shall be implemented.</p> <ol style="list-style-type: none"> <li>a. If ground-disturbing activities (i.e., site clearing, disking, grading, etc.) can be performed outside of the nesting season (i.e., between September 1 and January 31), no additional surveys are warranted.</li> <li>b. Prior to any ground disturbance during the nesting season (February 1-August 31), a qualified biologist should conduct a preconstruction survey no more than two weeks prior to construction to determine if there are any active nests of loggerhead shrike or any other migratory passerines nests within 30 meters (100 feet) of the project site.</li> </ol>			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<ul style="list-style-type: none"> <li>c. If there are no occupied nests within this buffer, no further action is needed.</li> <li>d. If an active nest is present within this buffer, the following measures shall be implemented. <ul style="list-style-type: none"> <li>• Construction activities are not permitted within 30 meters (100 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a smaller buffer, a qualified biologist should coordinate with the CDFW and USFWS to determine the appropriate buffer size. Nest monitoring may be warranted for activities that would occur within a smaller buffer.</li> <li>• Construction activities may proceed prior to August 31 if the young birds have fledged, as determined by a qualified biologist.</li> </ul> </li> </ul>			
<b>BIO-4:</b>	<p>In order to avoid, minimize and compensate for unavoidable impacts on waters of the U.S./waters of the State, the measures outlined below shall be implemented.</p> <ol style="list-style-type: none"> <li>1. Impacts on waters of the U.S. will be avoided by restricting grading to an elevation above the OHWM; avoidance of impacts to waters of the State is not feasible. Long-term impacts shall be minimized by limiting the use of hardened structures (e.g., grouted riprap) in preference of bio-engineering solutions as much as is practicable. Surface water connections must not be permanently blocked or interrupted and the installation of drop-structures or other features that create barriers to wildlife movement shall be avoided.</li> <li>2. Prior to construction, the project proponent will need to secure authorization from the USACE, RWQCB, and CDFW in conformance to the Clean Water Act and Lake and Streambed Alteration Program.</li> </ol>	<p>Contra Costa County Flood Control and Water Conservation District</p> <p>Obtain permits; obtain coverage under HCP/NCCP; include BMPs in construction contract (s)</p>	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>3. Participation in the HCP/NCCP is expected to satisfy the requirements of the regulatory agencies for compensatory mitigation for unavoidable impacts on stream channels, wetlands and riparian habitat. A Planning Survey Report shall be completed and submitted to the East Contra Costa County Habitat Conservancy. The submittal shall include detailed drawings illustrating all temporary and permanent impacts.</p> <p>4. Per the terms of the adopted HCP/NCCP, a wetland mitigation fee or on-site habitat restoration will mitigate the impacts. If accepted by the regulatory agencies, no additional mitigation for wetland impacts is typically required. HCP/NCCP fee payment will occur at project contract award.</p> <p>5. For all work within and adjacent to the stream channel and riparian habitat, best management practices (BMPs) must be incorporated into the project design to minimize environmental effects. These include the following:</p> <ul style="list-style-type: none"> <li>• Construction in the active channels shall be restricted to the dry season (April 15-October 15).</li> <li>• Personnel conducting ground-disturbing activities within or adjacent to the buffer zone of wetlands, ponds, streams, or riparian woodland/scrub shall be trained by a qualified biologist in these avoidance and minimization measures and the permit obligations.</li> <li>• If dewatering is necessary, water released downstream of work areas must be as clean or cleaner than flows entering the work area. Sediment-laden water shall be either pumped onto upland sites for infiltration or into Baker tanks for settling, prior to being released back into the channel. Cofferdams shall consist of clean, silt-free sand or gravel in sand bags, or a comparable material. All coffer dam materials</li> </ul>			



Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>must be promptly removed when no longer needed.</p> <ul style="list-style-type: none"> <li>• High visibility temporary construction fencing should be erected between the outer edge of the limits of construction and adjacent streams or habitats to be preserved. Temporary construction fencing will be removed upon the completion of work.</li> <li>• Grading or construction near channels shall be isolated with silt fencing or other BMPs to prevent sedimentation. BMPs shall be regularly inspected.</li> <li>• Vehicles and equipment shall be parked on existing roads or previously disturbed areas.</li> <li>• Equipment working in channels must be in good working order and free of leaks of fuel, oil, and hydraulic fluids. Drip pans shall be placed under vehicles and equipment over waterways and spill clean-up materials should be kept onsite at a convenient location.</li> <li>• Equipment maintenance and refueling shall be performed well away from the top of bank of any channel; storm drain inlets shall be protected from an accidental release of contaminants.</li> <li>• Concrete washings or other contaminants must not be permitted to enter the stream channel or any storm drain inlet.</li> <li>• Any concrete structures or cured-in-place pipe linings shall be allowed to cure before coming in contact with surface flows.</li> <li>• Construction debris and materials shall be stockpiled away from watercourses.</li> </ul>			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<ul style="list-style-type: none"> <li>• Appropriate erosion-control measures (e.g., coconut coir matting, tackified hydroseeding, blown straw or other organic mulching material) shall be used on site to reduce siltation and runoff of contaminants into wetlands, ponds, streams, or riparian woodland/scrub. Plastic mono-filament netting (e.g., that used with erosion control matting) or similar material should not be used within the action area; wildlife can become entangled or trapped such non-biodegradable materials. Erosion-control measures shall be placed between the outer edge of the buffer and the project site.</li> <li>• Fiber rolls used for erosion control shall be certified as free of noxious weed seed.</li> <li>• Construction staging areas past the channel banks must be located away from any wetlands or other sensitive habitats as identified by a qualified biologist.</li> <li>• Newly graded earthen channel slopes shall be revegetated with a native seed mix developed by a qualified restorationist. Seed mixtures applied for erosion control shall not contain invasive nonnative species, and be composed of native species or sterile nonnative species. Straw or mulch shall also be applied to all bare surfaces. The seed mix and mulch shall be applied prior to the onset of the first winter-season rains.</li> <li>• Herbicide shall not be applied within 30 meters (100 feet) of wetlands, ponds, streams, or riparian habitat. However, where appropriate to control serious invasive plants, herbicides that have been approved by the U.S. EPA for use in or adjacent to aquatic habitats may be used as long as label</li> </ul>			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>instructions are followed and applications avoid or minimize impacts on covered species and their habitats. In seasonal or intermittent stream or wetland environments, appropriate herbicides may be applied during the dry season to control nonnative invasive species. Herbicide drift should be minimized by applying the herbicide as close to the target area as possible and by avoiding applying during windy days.</p> <ul style="list-style-type: none"> <li>Additional measures may be outlined in the conditions of the permits issued by the USACE, RWQCB, CDFW, and the Habitat Conservancy. All permit conditions must be conformed to.</li> </ul>			
<b>CULTURAL RESOURCES</b>				
<b>CUL-1:</b>	<ul style="list-style-type: none"> <li>Crew training, initial monitoring by a qualified archaeologist to determine an appropriate level of monitoring for the duration of the project, and additional spot checks pending the results of the initial monitoring shall be conducted prior to and during ground disturbing activities.</li> <li>A qualified archaeologist shall be present on the project site to monitor ground disturbing activities and inspect excavated soils to identify any cultural resources and human remains as deemed appropriate by the qualified archaeologist.</li> <li>All construction crew workers shall attend a training session led by a qualified archaeologist that discusses (1) the reasons for archaeological resource monitoring; (2) regulatory policies protecting resources and human remains; (3) basic identification of archaeological resources; and (4) the protocol to follow in case of a discovery of such resources.</li> <li>In accordance with CEQA Guideline §15064.5 (f), should any previously unknown historic or prehistoric resources, including but</li> </ul>	<p>Contra Costa County Flood Control and Water Conservation District</p> <p>Retain qualified archaeologist to implement identified measures; also include in construction contract(s)</p>	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	<p>not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable soils, glass, metal, ceramics, wood, privies, trash deposits or similar debris, be discovered during ground disturbing activities, work within 25 feet of these materials should be stopped until a qualified professional archaeologist has an opportunity to evaluate the potential significance of the find and to consult with the lead agency about what appropriate mitigation would be appropriate to protect the resource.</p> <ul style="list-style-type: none"> <li>• In the event that human remains, or possible human remains, are encountered during project-related ground disturbance, in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.</li> <li>• The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the NAHC within 24 hours. The Commission has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the project. The MLD, or in lieu of the MLD, the NAHC, has the responsibility to provide guidance as to the ultimate disposition of any Native American remains.</li> </ul>			
<b>CUL-2:</b>	Prior to project construction, construction personnel shall be informed of the potential for encountering significant paleontological resources. All construction personnel shall be informed of the need to stop work in the	Contra Costa County Flood Control and Water Conservation District	Prior to start of construction	Confirm and document during construction



## **APPENDIX B**

**Response to Comments  
on the  
Initial Study/Mitigated Negative Declaration  
for the  
Three Creeks Parkway Restoration Project**

**LIST OF COMMENT LETTERS**

1. Contra Costa Health Services (August 4, 2016)
2. Ann Kennedy (August 12, 2016)
3. East Contra Costa County Habitat Conservancy (August 15, 2016)
4. Central Valley Regional Water Quality Control Board (August 25, 2016)
5. Delta Stewardship Council (August 30, 2016)
6. East Bay Regional Park District (September 1, 2016)
7. Chevron (September 1, 2016)
8. City of Brentwood Public Works Department (September 2, 2016)
9. **Governor's Office of Planning and Research (State Clearinghouse)** (September 2, 2016)



**COMMENT LETTER #1. CONTRA COSTA HEALTH SERVICES** (August 4, 2016)

**Comment 1-1:** Contra Costa Health Services notes that permits will be required for well or soil boring activities prior to commencing drilling activities and abandoned wells and septic tanks must be destroyed under permit.

**Response:** Comments have been noted and forwarded to the project design team. No further response is necessary.

WILLIAM B. WALKER, M.D.  
HEALTH SERVICES DIRECTOR  
RANDALL L. SAWYER  
CHIEF ENVIRONMENTAL HEALTH & HAZMAT OFFICER  
MARILYN C. UNDERWOOD, PH.D. REHS  
DIRECTOR OF ENVIRONMENTAL HEALTH



CONTRA COSTA  
ENVIRONMENTAL HEALTH  
2120 Diamond Blvd., Suite 200  
Concord, California 94520  
Ph (925) 692-2500  
Fax (925) 692-2502  
www.cchealth.org/eh/

August 4, 2016

Claudia Gemberling  
Contra Costa Public Works Department  
255 Glacier Dr.  
Martinez, CA 94553

RE: Three Creeks Parkway Restoration (CP 16-39)  
Marsh Creek Channel  
APN Various

Dear Ms. Gemberling:

The Contra Costa Environmental Health Division (CCEHD) has received a request for agency comments for the above referenced project. The following are our comments:

1. A permit from CCEHD is required for any well or soil boring prior to commencing drilling activities, including those associated with water supply, environmental investigation and cleanup, or geotechnical investigation.
2. Any abandoned wells (water, environmental, or geotechnical) and septic tanks must be destroyed under permit from CCEHD. If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these must be clearly marked, kept secure, and destroyed pursuant to CCEHD requirements.

1-1

These comments do not limit an applicant's obligation to comply with all applicable laws and regulations. If you should have any questions, please feel free to call me at (925) 692-2535.

Sincerely

Joseph G. Doser, R.E.H.S.  
Supervising Environmental Health Specialist

JGD:tf



**COMMENT LETTER #2. ANN KENNEDY** (August 12, 2016)

**Comment 2-1:** Ms. Kennedy notes that she lives next to Marsh Creek between Deer Creek and Sand Creek and endorses the restoration project and offers citizen volunteers if needed; also suggested to plant milkweed for the monarch butterflies.

**Response:** Letter in support of this project is acknowledged. Plant suggestion has been noted and forwarded to the project design team for consideration. No further response is necessary.

**Claudia Gemberling**

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**From:** Ann Kennedy <annwkennedy@att.net>  
**Sent:** Friday, August 12, 2016 11:43 AM  
**To:** Claudia Gemberling  
**Subject:** Three Creeks Parkway Restoration

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Gemberling

I wholeheartedly endorse this restoration. Living next to Marsh Creek between Deer Creek and Sand Creek makes us sensitive to the need to restore the natural beauty to this area. If there is anything to be done by citizen volunteers don't hesitate to call on us. Also don't forget to plant milkweed for the monarch butterflies.

Thanks. Ann Kennedy

Sent from my iPhone

2-1

**COMMENT LETTER #3. EAST CONTRA COSTA COUNTY HABITAT  
CONSERVANCY** (August 15, 2016)

**Comment 3-1:** The East Contra Costa County Habitat Conservancy notes that the East Contra Costa County HCP/NCCP take coverage should be listed in Section 2.7 Permits and Approvals Required and pointed out that the East Contra Costa County Habitat Conservancy is first abbreviated as ECCCHC on page 4 but then called out differently on page 34 (as the Conservancy) and 37 (as the Habitat Conservancy).

**Response:** Comments noted and included in this CEQA record for the final IS/MND. No further response is necessary.

**Claudia Gemberling**

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**From:** Claudia Gemberling  
**Sent:** Thursday, August 18, 2016 2:12 PM  
**To:** 'Joanne Chiu'  
**Cc:** Abigail Fateman  
**Subject:** RE: CEQA - Three Creeks Parkway Restoration Project, Brentwood

Thank you for your comments Joanne. Mike Wood has not started the PSR application. Anticipating he will do that in October. The IS/MND discusses the habitat assessment/surveys conducted in support of CEQA. Let me know if you have any other questions.

Thanks.

*Claudia Gemberling*  
(925) 313-2192

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**From:** Joanne Chiu [<mailto:Joanne.Chiu@dcd.cccounty.us>]  
**Sent:** Monday, August 15, 2016 4:34 PM  
**To:** Claudia Gemberling  
**Cc:** Abigail Fateman  
**Subject:** RE: CEQA - Three Creeks Parkway Restoration Project, Brentwood

Hi Claudia,

I have fairly minor comments.

- Page 19, Section 2.7 Permits and Approvals Required, should include ECCC HCP/NCCP take coverage, as discussed in the bio section.
- The East Contra Costa County Habitat Conservancy is first abbreviated as ECCCHC on p. 4 but then called out differently on p. 34 (as the Conservancy) and 37 (as the Habitat Conservancy). Not a big deal but a consistency thing.

3-1

Has Mike Wood completed the HCP/NCCP PSR application? The IS/MND discusses planning surveys that were performed by Wood Biological Consulting in 2015 and 2016. Is the application ready for review?

Thank you,  
Joanne

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**From:** Claudia Gemberling [<mailto:claudia.gemberling@pw.cccounty.us>]  
**Sent:** Wednesday, August 03, 2016 12:07 PM  
**To:** Abigail Fateman  
**Cc:** Allison Van Dorn; Joanne Chiu  
**Subject:** CEQA - Three Creeks Parkway Restoration Project, Brentwood

Hi Abby, the CEQA document for the Three Creeks Parkway Restoration project along Marsh Creek in Brentwood is out for public review. The 30-day review period is August 3 – September 2. The CEQA document is posted at the PWD link: <http://ca-contracostacounty2.civicplus.com/4841/Public-Input> and DCD link: <http://www.co.contra-costa.ca.us/4841/Public-Input>. Let me know if you have any questions. Otherwise, provide any comments you may have. Thanks!

**COMMENT LETTER #4. CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD** (August 25, 2016)

**Comment 4-1:** The Central Valley Regional Water Quality Control Board (Central Valley Water Board) states that their agency is delegated with the responsibility of protecting the quality of surface and ground waters of the state and as such their comments will address concerns surrounding those issues. The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act which requires each Basin Plan contain water quality objectives to ensure reasonable protection of beneficial uses as well as a program of implementation for achieving water quality objectives. The Central Valley Water Board further notes that all wastewater discharges must comply with the Antidegradation Policy contained in the Basin Plan. The Central Valley Water Board offers links for more information.

**Response:** Comments noted. No further response is necessary.

**Comment 4-2:** The Central Valley Water Board notes various permits that may be required for the project if applicable (Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit – Water Quality Certification, Waste Discharge Requirements – Discharges to Waters of the State, Dewatering Permit, Regulatory Compliance for Commercially Irrigated Agriculture, Low or Limited Threat General National Discharge Elimination System (NPDES) Permit, NPDES Permit).

**Response:** As noted in Section 2.7 “Permits and Approvals Required” the project will require a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers and Section 401 permit - Water Quality Certification from the Central Valley Water Board, and **Section 2.9 “Hydrology and Water Quality” notes** that a NPDES *General Permit for Storm Water Discharges Associated with Construction and Land Disturbances* will be obtained. Other permits noted will be considered and obtained if applicable to the project.



AUG 29 2016

Environmental

EDMUND G. BROWN JR.  
GOVERNORMATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION**Central Valley Regional Water Quality Control Board**

25 August 2016

Claudia Gemberling  
Contra Costa County  
Department of Conservation and Development  
255 Glacier Drive  
Martinez, CA 94553

CERTIFIED MAIL  
91 7199 9991 7035 8360 9782

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE  
DECLARATION, THREE CREEKS PARKWAY RESTORATION PROJECT,  
SCH# 2016082008, CONTRA COSTA COUNTY**

Pursuant to the State Clearinghouse's 3 August 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Three Creeks Parkway Restoration Project, located in Contra Costa County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

**I. Regulatory Setting**

**Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources

Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:  
[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/).

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:  
[http://www.waterboards.ca.gov/centralvalleywater\\_issues/basin\\_plans/sacsjr.pdf](http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

4-1

4-2



(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml).

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/).

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml).

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit2.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml).

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:



[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2013-0145\\_res.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf)

### **Regulatory Compliance for Commercially Irrigated Agriculture**

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/app\\_approval/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml); or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).

4-2

### **Low or Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0074.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf)

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0073.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf)

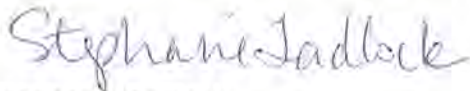
#### **NPDES Permit**

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit3.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml)

If you have questions regarding these comments, please contact me at (916) 464-4644 or [Stephanie.Tadlock@waterboards.ca.gov](mailto:Stephanie.Tadlock@waterboards.ca.gov).



Stephanie Tadlock  
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

**COMMENT LETTER #5. DELTA STEWARDSHIP COUNCIL** (August 30, 2016)

**Comment 5-1: Delta Plan Policies:** Delta Stewardship Council (Council) notes that the Delta Plan includes 14 regulatory policies that are applicable to all covered actions and provides a few key regulatory policies that may be applicable to the project and provides staff contact information for guidance.

**Response:** The project proponents will consult with the Council to ensure the project is consistent with the Delta Plan regulatory policies as applicable to the project.

**Comment 5-2: Best Available Science and Adaptive Management:** Delta Plan Policy G P1 “Detailed Findings to Establish Consistency with the Delta Plan” calls for covered actions to document use of best available science which should be consistent with criteria listed in Appendix 1A “Best Available Science” of the Delta Plan regulations such as relevance, inclusiveness, and objectivity.

Delta Plan Policy G P1 also calls for ecosystem restoration projects to include adequate provisions for continued implementation of adaptive management, appropriate to the scope of the action; this requirement can be satisfied through development of an adaptive management plan that is consistent with the framework described in Appendix 1B “Adaptive Management” of the Delta Plan along with documentation of adequate resources to implement the proposed adaptive management process.

The Council provided the Delta Science Program contact information for consultation to assist in document preparation for use of best available science and adaptive management.

**Response:** The project will ensure consistency with Delta Plan Policy G P1 as well as implement the Best Available Science criteria listed in Table 1A-1 of Appendix 1A (Relevance, Inclusiveness, Objectivity, Transparency and Openness, Timeliness, Peer Review) and an Adaptive Management plan described in Appendix 1B which provides a framework to plan, implement, evaluate and respond as applicable to the project.

**Comment 5-3: Mitigation Measures:** Delta Plan Policy GP 1 also requires that actions not exempt from CEQA and subject to Delta Plan regulations must include applicable feasible mitigation measures consistent with those identified in the Delta Plan Program Environmental Impact Report (PEIR) or substitute mitigation measures that are equally or more effective. The Council also notes that the Delta Plan Mitigation and Monitoring Reporting Program (MMRP) should be used to ensure compliance with the Delta Plan mitigation measures and provided a link to the document.



**Response:** Comments noted. The Delta Plan PEIR MMRP was reviewed and determined that the project MMRP is consistent with the Delta Plan PEIR MMRP as applicable to the project. Nevertheless, the Delta Plan PEIR will be referenced should other applicable mitigation measures become warranted that is not already included in the project MMRP.

**Comment 5-4: Habitat Restoration:** The Council notes that Delta Plan Policy ER P2 “Restore Habitats at Appropriate Elevations” states that habitat restoration must occur at appropriate elevations and be consistent with Appendix 3 “Habitat Restoration” of the Delta Plan regulations, which is an excerpt from the 2011 Draft Ecosystem Restoration Program Conservation Strategy. Appendix 3 describes many ecosystem benefits related to restoring floodplains, however it cautions that such restoration should include investigation and implementation of Best Management Practices (BMPs) to control methylmercury production and transport since periodic wetting and drying makes these areas prone to methylation of mercury. Marsh Creek is currently cited as exceeding water quality standards for mercury on the Central Valley Regional Water Quality Control Board’s 303(d) list of impaired water bodies, making management of mercury issues relevant to the Parkway Project. The Council recommends that the MND specifically address the potential impact of the project to contribute to methylation of legacy mercury in the Marsh Creek watershed and explain how the project either is designed to minimize this impact or includes appropriate mercury related BMPs.

**Response:** Comments noted. Marsh Creek is listed as impaired for mercury due to an abandoned mercury mine in the upper watershed, but bio-sentinel and chemical surveys over the last two decades have found relatively low levels of mercury and methylmercury in the watershed below Marsh Creek Reservoir, which appears to act as a mercury trap (John Cain, American Rivers, personal communication). Nevertheless, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has established methylmercury waste load allocations for all dischargers to the Delta through the Sacramento-San Joaquin Delta Estuary Total Maximum Daily Load (TMDL) (Delta Mercury TMDL) with intentions of reducing the mercury concentrations in fish down to levels considered to be protective of people and wildlife who consume fish from the Delta. The Delta Mercury TMDL translates reduced levels of mercury in fish to a water column target of 0.06 nanograms unfiltered methylmercury per liter (ng/L). If the average total methylmercury concentration in a water body exceeds 0.06 ng/L, follow-up actions are required to investigate causes and determine reasonable and foreseeable means of attaining a 0.06 ng/L.

The Contra Costa Clean Water Program (CCCWP) began implementation of a Methylmercury Control Study in 2012 to fulfill requirements of the Central Valley Municipal Regional Stormwater Discharge Permit (Order No. R5-2010-010). A Methylmercury Control Study Work Plan (Amec 2013) was prepared to 1) evaluate the

effectiveness of existing Best Management Practices (BMPs) for the control of methylmercury; 2) evaluate additional or enhanced BMPs, as needed, to reduce mercury and methylmercury discharges to the Delta; and 3) determine the feasibility of meeting methylmercury waste load allocations. Wet year and dry year samples were obtained at several locations along Marsh Creek within the project vicinity from spring 2012 through spring 2015: just upstream and downstream of the City of Brentwood Wastewater Treatment Plant (downstream of the project site), and at the confluences of Sand Creek, Deer Creek, and Dry Creek (all tributaries to Marsh Creek); Sand and Deer Creek confluences occur within the project segment, and Dry Creek is upstream of the project site. Methylmercury concentrations ranged between non-detect to 1.2 ng/L (Contra Costa Clean Water Program, Methylmercury Control Study Progress Report, October 2015).

Creating an intermittently flooded floodplain on Marsh Creek could create a methylated environment resulting in an increased level of methylmercury if there is elemental mercury present. However, based on the hydrology in Marsh Creek, the inundation events have a very short duration and are infrequent, which would presumably limit mercury export into Marsh Creek and the Delta. Further monitoring will be conducted to compare post-project levels to the pre-project data gathered from 2012 to 2015 to help determine whether implementation of this project will have any effect on methylation. Project construction will incorporate applicable BMPs to avoid or minimize off-site sediment transport.

**Comment 5-5: Invasive Species:** The Council notes that Delta Plan Policy ER P5 states “The potential for new introductions of or improved habitat conditions for nonnative invasive species, striped bass, or bass must be fully considered and avoided or mitigated in a way that appropriately protects the ecosystem.” Nonnative species, such as terrestrial and aquatic weeds, are a major obstacle to successful restoration because they affect the survival, health, and distribution of native wildlife and plant species. Although there is little chance of eradicating most established nonnative species, management can be designed to reduced their abundance.

The Council suggests **consideration of incorporating the Delta Plan’s PEIR Biological Resources Mitigation Measure 4-1** which calls for an invasive species management plan to be developed and implemented for any projects that could lead to introduction or facilitation of invasive species establishment. The mitigation requirement also calls for the plan to include nonnative species eradication methods (if eradication is feasible), nonnative species management methods, early detection methods, notification requirements, BMPs for preconstruction, construction, and post construction periods, monitoring, remedial actions and reporting requirements, and provisions for updating the target species list over the lifetime of the project as new invasive species become potential threats to the integrity of the local ecosystems.

**Response:** Comments noted. The project will implement an invasive species management plan consistent with the Delta Plan's recommendation as applicable to the project.

**Comment 5-6: Respect Local Land Use:** The Council notes that Delta Plan Policy DP P2 calls for habitat restoration projects to avoid or reduce conflicts with existing uses and to consider comments from local agencies and the Delta Protection Commission. The Council also notes that the MND states the project is consistent with the City of Brentwood General Plan and would not affect any land use of adjoining parcels to the project area, which is primarily designated residential. The MND also describes how the Parkway Project would protect East Bay Regional Park District's Marsh Creek trail by relocating it to new top of the eastern bank under the proposed project.

**Response:** Comments noted. No further response necessary.

**Comment 5-7: Inconsistencies with the Delta Plan:** The Council notes that the MND should discuss any inconsistencies between the proposed plan and the Delta Plan and that according to the CEQA Guidelines Appendix G a project that is inconsistent with any applicable land use plan, policy, or regulations may result in a finding of significant impact on the environment.

**Response:** Comments noted. The project is consistent with the Delta Plan as it is a multi-benefit project that will reduce flood risk associated with a changing climate, improve Delta water quality, restore denuded stream-side habitat, and enhance the Delta as a place. Further, the project will advance water quality recommendations of the Delta Plan to improve environmental water quality by reducing several pollutants conveyed to the Delta by urban and stormwater run-off including nitrates, pathogens, and contaminants with development of new floodplain wetlands and riparian vegetation along the channel that will cleanse polluted run-off that drain to Marsh Creek, Dutch Slough, and eventually to the Delta and Bay. Improving environmental water quality in Marsh Creek is particularly important to further the Delta Plan's goal of protecting Dutch Slough – a priority habitat restoration area.

**Comment 5-8: Delta Plan Recommendations:** *Protect and Enhance Recreational Opportunities:* The Council notes that the Delta Plan recommends protecting and improving existing recreation opportunities while seeking ways of providing new and better coordinated opportunities. Delta Plan Recommendation DP R11 calls for providing new and protecting existing recreational opportunities in the Delta and Suisun Marsh. Additionally, Recommendation DP R16 states that public agencies owning land should increase opportunities, where feasible, for bank fishing, hunting, levee-top trails, and environmental education.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT  
THREE CREEKS PARKWAY RESTORATION PROJECT (SCH# 2016082008)  
COUNTY FLOOD CONTROL DISTRICT #7562-6D8176; COUNTY CEQA FILE #: CP 16-39

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The Council also notes that they appreciate that the MND describes how the project would relocate the Marsh Creek trail and how the lower 1,600 feet of the project would be integrated into a new city park and include interpretive signs.

**Response:** Comments noted. The project is consistent with DP R11 “Provide New and Protect Existing Recreation Opportunities” and DP R16 “Encourage Recreation on Public Lands” as the project will protect and improve the existing creek trail and provide interpretive aides for environmental education for visitors.

**Comment 5-9: Final Remarks:** The Council notes that they overall support this project and look forward to working with and providing guidance to County staff on the requirements of filing a Delta Plan Certification of Consistency.

**Response:** Letter in support of this project is acknowledged. No further response necessary.



## DELTA STEWARDSHIP COUNCIL

*A California State Agency*

980 NINTH STREET, SUITE 1500  
SACRAMENTO, CALIFORNIA 95814  
HTTP://DELTACOUNCIL.CA.GOV  
(916) 445-5511

August 30, 2016

**Chair**  
Randy Fiorini

Claudia Gemberling, Environmental Analyst II  
Contra Costa County  
Public Works Department  
255 Glacier Drive  
Martinez, CA 94553  
Claudia.gemberling@pw.cccounty.us

**Members**  
Aja Brown  
Frank C. Damrell, Jr.  
Patrick Johnston  
Mary Piepho  
Susan Tatayon  
Ken Weinberg

**Executive Officer**  
Jessica R. Pearson

### **RE: Three Creeks Parkway Restoration Project Initial Study and Mitigated Negative Declaration, SCH# 2016082008**

Dear Ms. Gemberling:

We appreciate the opportunity to comment on the Initial Study and Mitigated Negative Declaration (MND) for the Three Creeks Parkway Restoration Project (hereafter referred to as the "Parkway Project"). The non-profit American Rivers and the Contra Costa County Flood Control and Water Conservation District will implement a project in the City of Brentwood to restore approximately 4,000 linear feet of Marsh Creek and adjacent floodplain and riparian habitat.

As you may know, the Delta Stewardship Council (Council) through the Delta Reform Act was granted specific regulatory and appellate authority over certain actions that take place in whole or in part in the Delta and Suisun Marsh; the Council exercises this authority through the development and implementation of the Delta Plan. The Delta Plan applies a common sense approach based on the best available science to achieve the coequal goals of protecting and enhancing the Delta ecosystem and providing for a more reliable water supply for California, while protecting and enhancing the unique cultural, recreational, and agricultural values of the Delta as an evolving place.

According to the Delta Reform Act, it is the state or local agency approving, funding, or carrying out the project that must determine if that project is a "covered action" subject to Delta Plan regulations, and if so, to file a certification of consistency with the Delta Plan.

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*"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."*



## **Delta Plan Policies**

The Delta Plan includes 14 regulatory policies that are applicable to all covered actions. Below we have highlighted a few key regulatory policies from the Delta Plan that may be relevant to the Parkway Project.

5-1

### **Best Available Science and Adaptive Management**

Delta Plan Policy **G P1** (23 California Code of Regulations [CCR] Section 5002) calls for covered actions to document use of best available science. This documentation should be consistent with the criteria listed in Appendix 1A of the Delta Plan regulations (available at <http://deltacouncil.ca.gov/docs/appendix-1a>), which include relevance, inclusiveness, and objectivity.

Additionally, Policy **G P1** calls for ecosystem restoration projects to include adequate provisions for continued implementation of adaptive management, appropriate to the scope of the action; this requirement can be satisfied through the development of an adaptive management plan that is consistent with the framework described in Appendix 1B of the Delta Plan (<http://deltacouncil.ca.gov/docs/appendix-1b>), along with documentation of adequate resources to implement the proposed adaptive management process.

5-2

Staff from the Delta Science Program can provide consultation to assist in preparation of documentation of use of best available science and adaptive management. Please contact Darcy Austin ([darcy.austin@deltacouncil.ca.gov](mailto:darcy.austin@deltacouncil.ca.gov)) of the Delta Science Program to arrange those discussions.

### **Mitigation Measures**

Delta Plan Policy **G P1** (23 CCR Section 5002) also requires that actions not exempt from the California Environmental Quality Act (CEQA) and subject to Delta Plan regulations must include applicable feasible mitigation measures consistent with those identified in the Delta Plan Program Environmental Impact Report (PEIR) or substitute mitigation measures that are equally or more effective. The Delta Plan Mitigation and Monitoring Reporting Program is to be used to ensure compliance with the Delta Plan mitigation measures and this document is available at [http://deltacouncil.ca.gov/sites/default/files/documents/files/Agenda%20Item%206a\\_attach%202.pdf](http://deltacouncil.ca.gov/sites/default/files/documents/files/Agenda%20Item%206a_attach%202.pdf)

5-3

Council staff can provide a slightly reformatted Microsoft Word document version of the MMRP document which may help Contra Costa County staff with the process of cross-referencing between Delta Plan mitigation measures with those in the project's MND.



## Habitat Restoration

Delta Plan Policy **ER P2** (23 CCR Section 5006) states that habitat restoration must occur at appropriate elevations and be consistent with Appendix 3 of the Delta Plan regulations, which is an excerpt from the 2011 Draft Ecosystem Restoration Program Conservation Strategy. Appendix 3 describes the many ecosystem benefits related to restoring floodplains, however it also cautions that such restoration should include investigation and implementation of Best Management Practices (BMPs) to control methylmercury production and transport since periodic wetting and drying makes these areas prone to methylation of mercury. Marsh Creek is currently cited as exceeding water quality standards for mercury on the Central Valley Regional Water Quality Control Board's 303(d) list of impaired water bodies, making management of mercury issues relevant to the Parkway Project. We recommend that the MND specifically address the potential impact of the project to contribute to methylation of legacy mercury in the Marsh Creek watershed and explain how the project either is designed to minimize this impact or includes appropriate mercury related BMPs.

5-4

## Invasive Species

Delta Plan Policy **ER P5** (23 CCR Section 5009) states, "The potential for new introductions of or improved habitat conditions for nonnative invasive species, striped bass, or bass must be fully considered and avoided or mitigated in a way that appropriately protects the ecosystem." Nonnative species, such as terrestrial and aquatic weeds, are a major obstacle to successful restoration because they affect the survival, health, and distribution of native wildlife and plant species. Although there is little chance of eradicating most established nonnative species, management can be designed to reduce their abundance.

We suggest you consider incorporating into the MND Delta Plan PEIR's **Biological Resources Mitigation Measure 4-1** which calls for an invasive species management plan to be developed and implemented for any projects that could lead to introduction or facilitation of invasive species establishment. The plan must ensure that invasive plant species and populations are kept below preconstruction abundance and distribution levels and be based on best available science and developed in consultation with Department of Fish and Wildlife and local experts (e.g., UC Davis, California Invasive Plant Council). This mitigation requirement also calls for the plan to include the following elements:

5-5

- Nonnative species eradication methods (if eradication is feasible)
- Nonnative species management methods
- Early detection methods
- Notification requirements
- Best management practices for preconstruction, construction, and post construction periods
- Monitoring, remedial actions and reporting requirements



- Provisions for updating the target species list over the lifetime of the project as new invasive species become potential threats to the integrity of the local ecosystems

### **Respect Local Land Use**

Delta Plan Policy **DP P2** (23 CCR Section 5011) calls for habitat restoration projects to avoid or reduce conflicts with existing uses and to consider comments from local agencies and the Delta Protection Commission. The MND states that the project is consistent with the City of Brentwood General Plan and would not affect any land use of adjoining parcels to the project area, which is primarily designated residential. The MND also describes how the Parkway Project would protect East Bay Regional Park District's Marsh Creek trail by relocating it to new top of the eastern bank under the proposed project.

5-6

### **Inconsistencies with the Delta Plan**

The MND should discuss any inconsistencies between the proposed plan and the Delta Plan, as required by section 15125(d) of the CEQA Guidelines. Please note that the CEQA guidelines' Appendix G states that a project that is inconsistent with any applicable land use plan, policy, or regulations may result in a finding of significant impact on the environment.

5-7

### **Delta Plan Recommendations**

The Delta Plan contains 74 recommendations, which we encourage project proponents to consider as they design and implement their projects and programs. Although these recommendations are non-regulatory in nature, progress towards their implementation will help with achieving the coequal goals in a manner that protects and enhances the unique values of the Delta.

#### *Protect and Enhance Recreational Opportunities*

The Delta Plan recommends protecting and improving existing recreation opportunities while seeking ways of providing new and better coordinated opportunities. Delta Plan Recommendation **DP R11** calls for providing new and protecting existing recreational opportunities in the Delta and Suisun Marsh. Additionally, Recommendation **DP R16** states that public agencies owning land should increase opportunities, where feasible, for bank fishing, hunting, levee-top trails, and environmental education. We appreciate how the MND describes how the project would relocate the Marsh Creek trail and how the lower 1,600 feet of the project would be integrated into a new city park and include interpretive signs.

5-8

Claudia Gemberling, Environmental Analyst II  
Contra Costa County  
Public Works Department  
August 30, 2016  
Page 5

### Final Remarks

Overall we support Contra Costa County and American Rivers in this initiative to restore habitat along a stretch of urbanized creek in the City of Brentwood. We look forward to working with County staff on this project and, if necessary, provide early consultation to County staff on the requirements of filing a Delta Plan certification of consistency. I encourage you to contact Daniel Huang at [Daniel.Huang@deltacouncil.ca.gov](mailto:Daniel.Huang@deltacouncil.ca.gov) for any questions you have regarding issues raised in this comment letter.

5-9

Sincerely,

A handwritten signature in black ink, appearing to read "C Enos-Nobriga". The signature is written in a cursive, flowing style.

Cassandra Enos-Nobriga  
Deputy Executive Officer  
Delta Stewardship Council

**COMMENT LETTER #6. EAST BAY REGIONAL PARK DISTRICT** (September 1, 2016)

**Comment 6-1:** The East Bay Regional Park District (Park District) appreciates that the Marsh Creek Trail within the project area will be located above the 100-year flood plain zone which will avoid increased maintenance costs and potential trail closures. The project is considering a pervious surface for the trail as part of the proposal required by the East Contra Costa County Habitat Conservancy. The Park District comments that they maintain a portion of the Marsh Creek Trail and requests that a local funding mechanism be established to accommodate additional maintenance required for this type of surface.

**Response:** The Contra Costa County Flood Control District has been having discussions with the City of Brentwood Parks and Recreation Department about the local funding mechanism and the City has agreed they'll provide additional funding for the additional maintenance required for this type of surface.

**Comment 6-2:** The City of Brentwood is proposing to widen Central Blvd. to four (4) lanes by adding a new bridge. The Park District comments safety concerns regarding the increased distance trail users would have to travel across Central Blvd. once additional lanes are added. The Park District supports the trail passing under the bridge(s) and elimination of at grade crossing which is a much safer experience for trail users and may improve traffic flow on Central Blvd. Additional structures required to protect the bridge abutments and trail alignment under the bridge will need to be included in the CEQA analysis.

**Response:** The project will include armoring under the bridge to protect the bridge and proposed trail undercrossing. The armoring will be a combination of concrete and riprap. The riprap will be vegetated where accessible to sunlight. The MND points out that other locations within the project segment will need to be armored to stabilize slopes which will minimize erosion and provide stabilized slopes for the trail relocation as noted in the Biological Resources, Geology and Soil, and Hydrology and Water Quality sections. No additional structures will be necessary to protect the bridge abutments or trail.

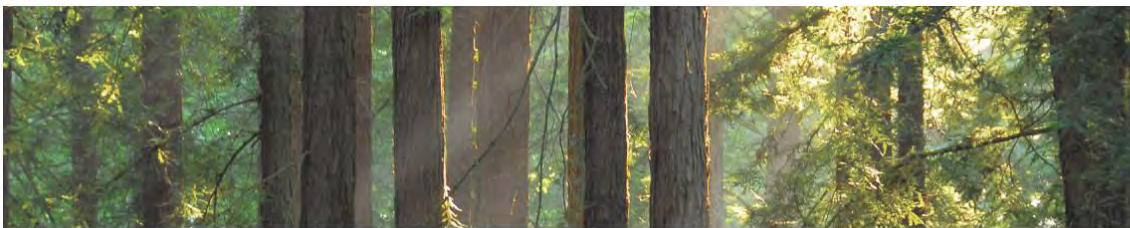
**Comment 6-3:** The Park District requests that the Contra Costa County Flood Control District design the trail undercrossing to Caltrans Chapter 1000 Class I bikeway standards, which calls for at least ten (10) feet of overhead clearance if possible which will also allow enough clearance for equestrians, emergency vehicles and overhead signage if necessary. The Park District will still need to preserve emergency vehicle and maintenance access through the current on street trail entrances for operational purposes.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT  
THREE CREEKS PARKWAY RESTORATION PROJECT (SCH# 2016082008)  
COUNTY FLOOD CONTROL DISTRICT #7562-6D8176; COUNTY CEQA FILE #: CP 16-39

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**Response:** The trail will be designed to the Class I Bikeway standards with the exception that the 10-ft recommended clearance is not achievable under the existing bridge. The design can achieve 8-ft minimum clearance as specified by the Caltrans standards. The Federal Highway Administration standards for equestrians recommends a 12-ft clearance. It is our expectation that equestrians will need to use the Central Blvd. at-grade crossing. Emergency vehicle and maintenance access (EVMA) will be maintained at street level as well.





**COMMENT LETTER #6**

Claudia Gemberling, Environmental Analyst II  
Contra Cost County Public Works Department  
255 Glacier Drive  
Martinez, CA 94553

**RE: Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration**

Dear Ms. Gemberling,

The East Bay Regional Park District (Park District) has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) for the Three Creeks Parkway Restoration (the project), proposed by the Contra Costa County Flood Control District (CCCFCFCD). The Park District has a long term commitment to protecting and maintaining open space in Contra Costa County and providing safe non-motorized public transportation and recreational opportunities by way of our Regional Trail Network. The District operates and maintains the Marsh Creek Regional Trail (the Trail) on the east side of Marsh Creek, which is within the project's scope.

The project proposes to relocate the trail for approximately 0.8 mile as part of the restoration effort of Marsh Creek. The Park District appreciates the CCCFCFCD's willingness to relocate the existing trail above the 100 year flood plain to avoid increased maintenance costs and potential trail closures. The CCCFCFCD is considering a pervious surface for the trail as part of the proposal required by the East Contra Costa Habitat Conservancy. The Park District maintains this portion of the Marsh Creek Trail and requests that a local funding mechanism be established to accommodate additional maintenance required for this type of surface.

6-1

The City of Brentwood is proposing to widen Central Blvd to four (4) lanes by adding a new bridge. The Park District has safety concerns regarding the increased distance trail users would have to travel across Central Blvd. once additional lanes are added. The Park District supports the trail passing under the bridge(s) on Central Blvd. and the elimination of the existing at grade crossing; which is a much safer experience for trail users and may improve traffic flow on Central Blvd. There are several schools within .5 mile of the project, and students and parents will be able to walk/bike to school on a safer route with this improvement. Additional structures required to protect the bridge abutments and trail alignment under the bridge, which may encroach into the creek channel, will need to be included in your CEQA analysis.

6-2

The Park District requests that CCCFCFCD design the trail undercrossing to Caltrans Chapter 1000 Class I bikeway standards, which calls for at least ten (10) feet of overhead clearance if possible. This also allows enough clearance for equestrians, emergency vehicles and overhead signage if necessary. The Park District will still need to preserve emergency vehicle and maintenance access (EVMA) through the current on street trail entrances for operational purposes.

6-3

The Park District appreciates the opportunity to review the IS/MND and provide comments. We look forward to working with the CCCFCFCD on this project. Please provide any future information and design plans for Park District review. If you have any questions or concerns, please contact me at (510) 544-2609, or by e-mail at [swilson@ebparks.org](mailto:swilson@ebparks.org).

Respectfully,

Suzanne Wilson  
Senior Planner – Trails Development

CC – Neoma Lavalley, Planner EBRPD; Sean Dougan, Trails Development Program Manager EBRPD

Board of Directors

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Ayn Wieskamp  
Ward 5

Robert E. Doyle  
General Manager

## Claudia Gemberling

---

**From:** Suzanne Wilson <[swilson@ebparks.org](mailto:swilson@ebparks.org)>  
**Sent:** Thursday, September 01, 2016 1:53 PM  
**To:** Claudia Gemberling  
**Cc:** Sean Dougan; Neoma Lavalie  
**Subject:** Three Creeks Parkway Restoration Comment Letter  
**Attachments:** Three Creeks Parkway Restortation Comments\_EBRPD.pdf

Dear Ms. Gemberling,

Thank you for the opportunity to review and provide comments on the Initial Study/Mitigated negative Declaration for the Three Creeks Parkway Restoration Project. Please the East Bay Regional Park District's comments attached. Don't hesitate to contact me should you have any questions.



**Suzanne Wilson**

**Senior Planner - Trails Development** | Trails Development Program

East Bay Regional Park District

2950 Peralta Oaks Court, Oakland, CA 94605

T: 510-544-2609 | F: 510-569-1417

[swilson@ebparks.org](mailto:swilson@ebparks.org) | [www.ebparks.org](http://www.ebparks.org)

**STATEMENT OF CONFIDENTIALITY** | This electronic message and any files or attachments transmitted with it may be confidential, privileged, or proprietary information of the East Bay Regional Park District. The information is solely for the use of the individual or entity to which it was intended to be addressed. If the reader of this message is not the intended recipient, please notify the sender immediately by e-mail. If you are not the intended recipient, you are notified that disclosing, distributing, or taking any action in reliance on the contents of this information is strictly prohibited. If you received this e-mail in error, please notify the sender immediately, destroy any copies, and do not use the information.



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**COMMENT LETTER #7. CHEVRON** (September 1, 2016)

**Comment 7-1:** Leidos Engineering LLC, on behalf of Chevron Environmental Management Company (CEMC), describes the background of inactive, historic crude-oil pipelines within the project vicinity and identifies the approximate location of the former Old Valley Pipeline (OVP) and Tidewater Associated Oil Company (TAOC) alignments **with respect to the project's layout. Leidos further states that CEMC conducted risk** assessments at numerous locations within known historical crude-oil release points along the former OVP and TAOC pipelines and analytical results have indicated that the crude-contaminated soil was non-hazardous. If soil affected by the historical release of crude oil from these former pipelines is encountered during construction activities it may be reused as backfill on site. Parties conducting construction activities in the vicinity of these former pipeline rights-of-way may wish to use the information provided in the letter to help prepare for the possibility of encountering pipelines and pipeline-related asbestos-containing materials ACM during the course of their work.

**Response:** Comments have been noted and forwarded to the project design team. No further response is necessary.





**Mike N. Oliphant**  
Project Manager  
Mining and Specialty  
Portfolio

**Chevron Environmental  
Management Company**  
P.O. Box 6012  
San Ramon, CA 94583  
Tel (925) 842 9922  
mike.oliphant@chevron.com

September 1, 2016

Stakeholder Communication – Contra Costa County

Ms. Claudia Gemberling  
Environmental Analyst II  
Contra Costa County Public Works Department  
255 Glacier Drive  
Martinez, California 94553

**Subject: Comments on the Initial Study and Proposed Mitigated Negative Declaration for the  
Three Creeks Parkway Restoration Project**  
Chevron Environmental Management Company  
Historical Pipeline Portfolio–Bakersfield to Richmond

Dear Ms. Gemberling:

On behalf of Chevron Environmental Management Company (CEMC), Leidos, Inc. (Leidos; CEMC contract consultant) recently reviewed the Initial Study and Proposed Mitigated Negative Declaration for the Three Creeks Parkway Restoration Project (proposed project). The information contained in this letter may help you to understand something about Chevron's former pipeline operations in the City of Brentwood, as residual weathered crude oil, abandoned pipeline, and asbestos-containing materials (ACM) could potentially be encountered during subsurface construction activities in the vicinity of these former pipeline locations within the existing former pipeline rights of way (ROW).

Portions of the former Old Valley Pipeline (OVP) and Tidewater Associated Oil Company (TAOC) pipelines existed in the vicinity of the proposed project area. These formerly active pipelines were constructed in the early 1900s and carried crude oil from the southern San Joaquin Valley to the San Francisco Bay Area. Pipeline operations for the OVP ceased in the 1940s, and in the 1970s for the TAOC pipelines. When pipeline operations ceased, the pipelines were taken out of commission. The degree and method of decommissioning varied: in some instances the pipelines were removed, while in others they remained in place. Because these pipelines have been decommissioned, with the majority of pipelines having been removed, they are not readily identified as underground utilities through the Underground Service Alert North System or utility surveys. Figure 1 illustrates the locations of the former OVP and TAOC ROWs with respect to the proposed project area. The location of the pipelines shown on Figure 1 is based on historical as-built drawings and the approximated positional accuracy of the alignments is generally +/- 50 feet. The OVP and TAOC pipelines were installed at depths of up to 10 feet below ground surface. The steel pipelines were typically encased in a protective coating composed of coal tar and ACM.

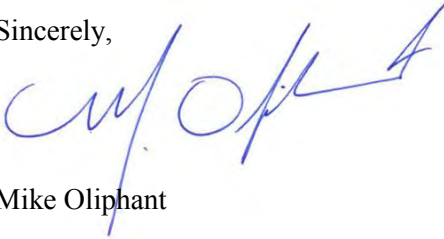
Working under the direction of State regulatory agencies, CEMC conducted risk assessments at numerous locations with known historical crude-oil release points along the former OVP and TAOC pipelines. Analytical results from these risk assessments indicated that the crude-contaminated soil was non-hazardous. Accordingly, it is likely that

if soil affected by the historical release of crude oil from these former pipelines is encountered during construction activities it may be reused as backfill on site. Properly abandoned crude-oil pipeline may be left in the ground. Parties conducting construction activities in the vicinity of these former pipeline ROWs may wish to use the information provided in this letter to help prepare for the possibility of encountering abandoned pipelines and pipeline-related ACM during the course of their work.

6-1

For more information regarding these historic pipelines, please visit <http://www.hppinfo.com/>. If you would like additional information, or would like to request more detailed maps, please contact Leidos consultants Mike Hurd ([michael.t.hurd@leidos.com](mailto:michael.t.hurd@leidos.com)) at (510) 466-7161 or Tan Hoang ([tan.t.hoang@leidos.com](mailto:tan.t.hoang@leidos.com)) at (916) 979-3742.

Sincerely,



Mike Oliphant

MO/klg

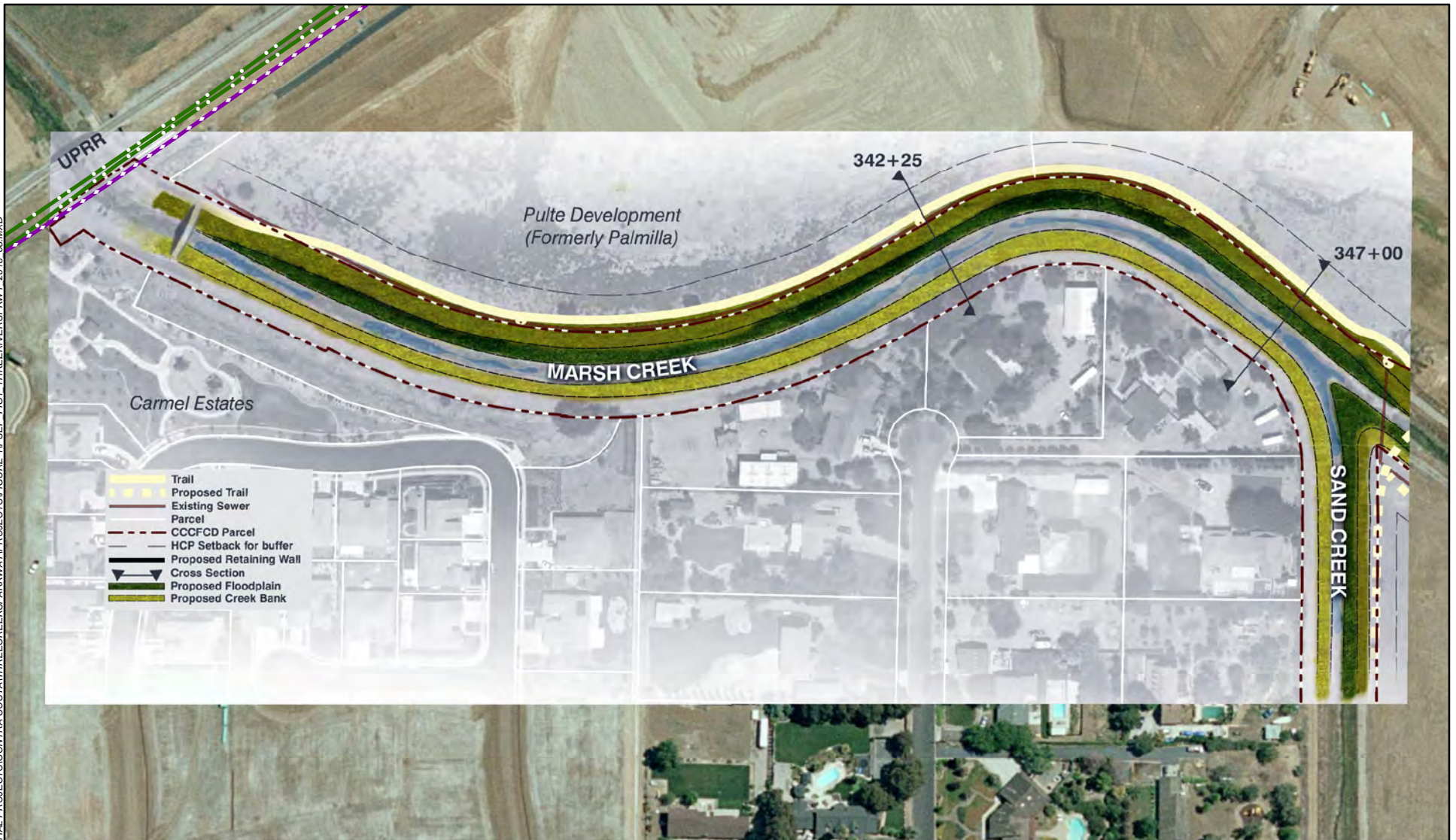
Enclosure:

Figure 1. Historical Pipeline Rights of Way – Lower Reach Improvements

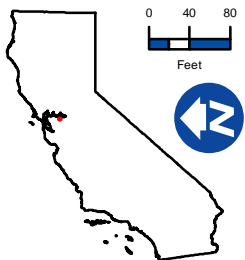
ss

cc: Mr. Mike Hurd – Leidos  
475 14<sup>th</sup> Street, Suite 610, Oakland, California 94612  
Mr. Erik Nolthenius – City of Brentwood Planning Division  
150 City Park Way, Brentwood, California 94513

FILE: Q:\HPP\BTRMANAGEMENT\STRATEGY\POTENTIAL PROJECTS\CONTRA COSTA\THREECREEKSPARKWAYPROJECT\FIGURE 1PSEP FIG1\_THREERIVERSPKWY 2016 08.MXD



Map is compiled from data sources that vary in accuracy; features may not be displayed in exact relationship to one another. Do not rely on map for legal information or underground work.



CALIFORNIA LOCATION MAP

- Historical Old Valley Pipeline (OVP)
- Historical Tidewater Associated Oil Company (TAOC) Pipeline

## HISTORICAL PIPELINE RIGHTS OF WAY

### LOWER REACH IMPROVEMENTS

Brentwood, California

DATE: 8/18/2016

ANALYST: HOANGTA

FIGURE:



1

## Claudia Gemberling

---

**From:** Hoang, Tan T. <TAN.T.HOANG@leidos.com>  
**Sent:** Thursday, September 01, 2016 4:10 PM  
**To:** Claudia Gemberling  
**Cc:** Hurd, Michael T.; Anzelon, Danny B.; [planning@brentwoodca.gov](mailto:planning@brentwoodca.gov)  
**Subject:** Comments on the IS/MND for the Three Creeks Parkway Restoration Project  
**Attachments:** Three Creeks MND Comment Letter.pdf

Ms. Gemberling,

On behalf of Chevron Environmental Management Company (CEMC), please see the attached comment letter on the Initial Study and proposed Mitigated Negative Declaration for the Three Creeks Parkway Restoration Project in Brentwood, CA. This letter describes the background of inactive, historic crude-oil pipelines within the project's vicinity, including one map that show the approximate location of the former Old Valley Pipeline (OVP) and Tidewater Associated Oil Company (TAOC) alignments with respect to the lower reach improvements of project area (Figure 1).

Please let me know if you have any questions. A hard copy of this letter will also be mailed to your office.

Thank you.

**Tan Hoang, AICP | Leidos**

Land Use Planner | Infrastructure

phone: 916.979.3742

[tan.t.hoang@leidos.com](mailto:tan.t.hoang@leidos.com) | [leidos.com/infrastructure](http://leidos.com/infrastructure)

Please consider the environment before printing this email.



**COMMENT LETTER #8. CITY OF BRENTWOOD PUBLIC WORKS DEPARTMENT**

(September 2, 2016)

**Comment 8-1:** The City of Brentwood Public Works Department (City) suggested to include in the last paragraph of Section 2.2 "Project Location and Surrounding Land Uses" on page 8 that the planned linear city park part of the Pulte development is planned to be under construction during the spring and/or summer of 2017.

**Response:** Comment noted and is included in this CEQA record for the final IS/MND. No further response is necessary.

**Comment 8-2:** The City notes that the footnotes to Table 1 in Section 2.4 "Project Components" on page 10 indicate that the parcel numbers and ownership information are shown on Figures 4, 6, and 8, but the information is not shown.

**Response:** Comment noted. The figures have been updated and included in this CEQA record for the final IS/MND. No further response is necessary.

**Comment 8-3:** The City commented that Section 2.4.1 "Middle Reach" does not address the "Phase II Design Alternative" widening shown in blue and noted on Figure 7.

**Response:** The intent was to have an alternative if the sewer line could be relocated in accordance with City requirements.

**Comment 8-4:** The City recommends not using the term "relocation" in Section 2.4.3 Sewer Line Relocation on page 17 (page number not shown) because the sewer line will remain in place and suggested revising to "Existing Sewer Main".

**Response:** Comment noted and is included in this CEQA record for the final IS/MND. No further response is necessary.

**Comment 8-5:** The City recommends changing the wording to "City of Brentwood Encroachment and/or Grading Permit" in Section 2.7 "Permits and Approvals Required" in the last line on page 19 as the City will want to review items such as construction plans, haul truck routes, traffic control, bonds, working hours, and possibly impose conditions such as repair of improvements damaged during construction, periodic coordination with City staff, and potential need for settlement monitoring.

**Response:** Comment noted and is included in this CEQA record for the final IS/MND. No further response is necessary.

**Comment 8-6:** The City of Brentwood PWD comments on Section 5.8.2 "Hazards and Hazardous Materials" discussion item g on page 60 that if APN 017-110-011 "DLT Ventures (Griffith)" is not made available for soil stockpiling, it does not appear that the project has adequate space at other locations to stockpile a significant amount of excavated material based on the other parcels identified in Section 2.4, Table 1. This could result in a frequency of haul truck traffic that is worthy of further consideration. **The City's permit process will help identify the haul routes and traffic control that will be needed to mitigate impacts.**

The City recommends considering less precise language that would leave open the possibility of access from alternative locations. Construction staging may require cycling earthmoving trucks through the project if turn-around space is limited. The City comments that it should be stipulated that access and haul routes will be agreed upon during the design process, prior to construction.

**Response:** Comments noted. The MND analyzed potential stockpile locations and haul routes. Feasible stockpile locations and haul routes will be finalized during the permit process prior to start of construction.

**Comment 8-7:** The City comments that while the statement in the "Background" of Section 5.16.1 "Transportation and Traffic" is true for access directly to the creek, other possible access points as shown in Figure 3 should be mentioned and evaluated. The City also comments that it should be noted that some of the streets mentioned may be under developer control, or may be deemed not suitable for haul truck traffic, and therefore not allowed for construction access.

**Response:** Comments noted. Some of the access points shown in Figure 3 are for public access to existing and planned city parks part of the Pulte Development (i.e., Bella Drive, Island Palm Way) which may not be accessible upon project completion as noted by the City but will be determined during the design process. As noted in discussion items a, b of Section 5.16, construction vehicles would access the project site via local roadways and existing maintenance roads or the regional trail along the creek. Central Blvd. and Dainty Avenue are local roadways that provide access to the project site and trail; the County Flood Control District maintenance road at Sungold Park within the Carmel Estates development is another access point.

**Comment 8-8:** The City comments that discussion items "a" and "b" in Section 5.16.3 "Transportation and Traffic" on page 75 discusses the duration of construction and construction traffic and suggests noting the number of trips per day that would be needed to achieve those durations. The City also comments that traffic control measures for hauling trucks would likely be justified, and required, as part of an encroachment permit. And, notes that if parcel 017-110-011 would be used for

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT  
THREE CREEKS PARKWAY RESTORATION PROJECT (SCH# 2016082008)  
COUNTY FLOOD CONTROL DISTRICT #7562-6D8176; COUNTY CEQA FILE #: CP 16-39

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stockpiling, and subsequent trucking away from the site, the access to that property for trucking would be Minnesota Avenue.

**Response:** Comments noted. The exact number of trips per day needed to achieve the construction and construction traffic durations will be determined when the contractor obtains the encroachment permit as well as traffic control measures for haul trucks.

**Comment 8-9:** The City comments on Section 5.17 "Utilities and Service Systems" that even though a conflict or interaction with the existing sewer system, other than adjustments to manhole lids, is extremely unlikely, a response protocol should be created that identifies what actions need to be taken in the event of damage to existing facilities.

The City also comments that the City requires vehicular access over the sanitary sewer main that is not subject to the 100 year flood event and proposed widening near 371+00 would appear to impact that requirement, but widening may have already been accomplished at that location. No typical section for 371+00 is provided to clarify. Relocation of the sanitary sewer main may be necessary to ensure the aforementioned requirement is met.

**Response:** Comments noted. A response protocol will be prepared prior to construction **to address necessary actions in the event of damage to the City's existing facilities.**

The existing sewer line location is below the existing top of bank at station 371+00 and is currently below the 100-year flood event. The proposed project will not affect this condition. The proposed project grading begins immediately downstream of station 371+00 and transitions to a widened left bank. The City will have an opportunity to review project plans to ensure an acceptable design.





SOURCE: Restoration Design Group, Inc. 2016

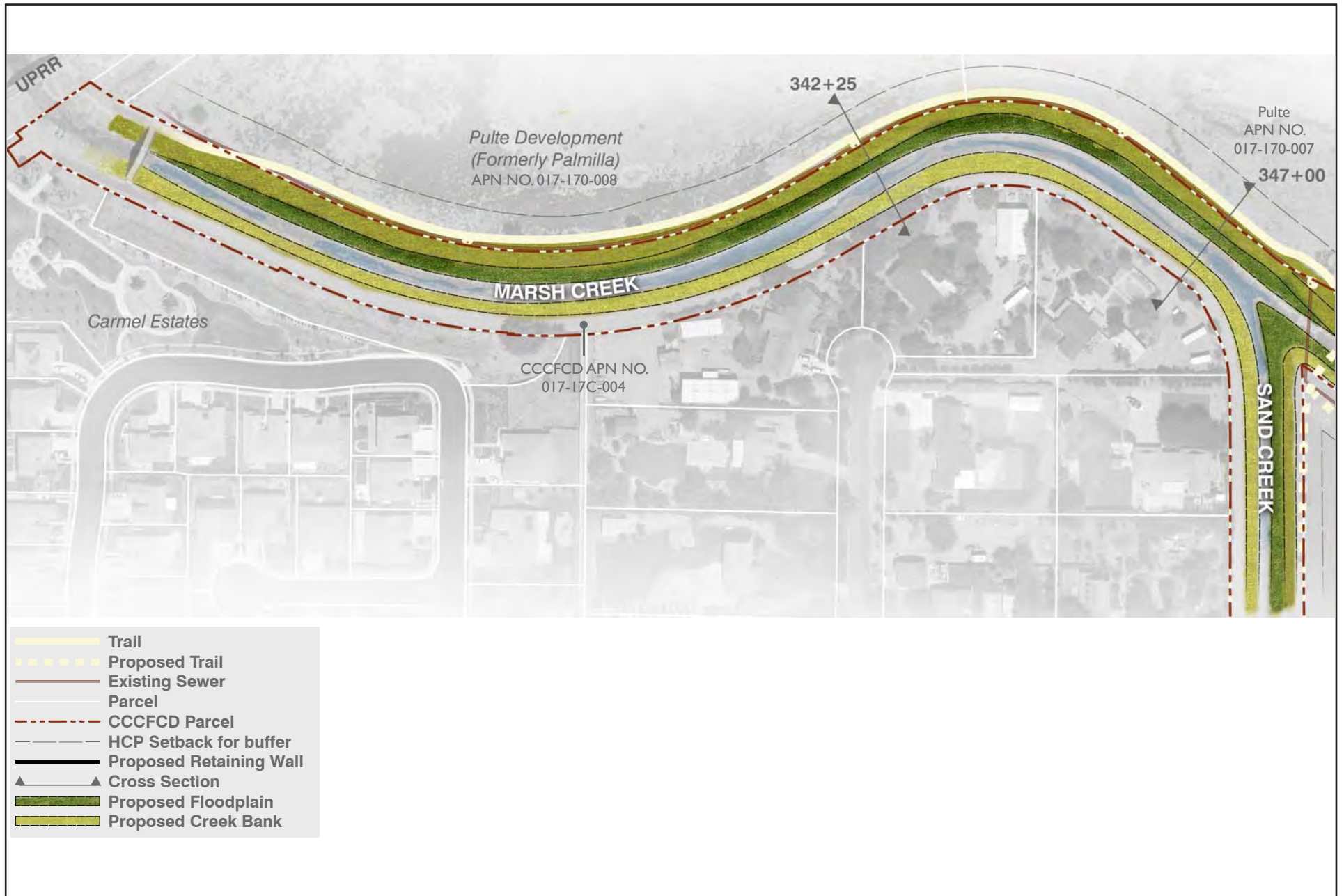
FIGURE 4



SOURCE: Restoration Design Group, Inc. 2016

FIGURE 6





SOURCE: Restoration Design Group, Inc. 2016

FIGURE 8



September 2, 2016

Contra Costa County Public Works Department  
255 Glacier Drive  
Martinez, CA 94553  
Attn: Claudia Gemberling, Environmental Analyst II

Re: Three Creeks Parkway Restoration  
Initial Study – Mitigated Negative Declaration

Dear Ms. Gemberling:

Thank you very much for the opportunity to review the Initial Study – Mitigated Negative Declaration for this important project. City staff has reviewed it and offers the following comments for your consideration:

1. Section 2.2 “Project Location and Surrounding Land Uses,” Page 8: In the last paragraph of the section, it may be worth noting that the park is planned to be under construction during the spring and/or summer of 2017. **8-1**
2. Section 2.4 “Project Components”, Page 10: The footnotes to Table 1 indicate that the parcel numbers and ownership information are shown on Figures 4, 6, and 8, but the information is not shown. **8-2**
3. Section 2.4.1 “Middle Reach”: This section does not address the “Phase II Design Alternative” widening shown in blue and noted on Figure 7. **8-3**
4. Section 2.4.3 “Sewer Line Relocation”, Page 17 (page number not shown): I would recommend not using the term “relocation” because the sewer line will remain in place. Maybe something more general like “Existing Sewer Main” would be more appropriate. **8-4**
5. Section 2.7 “Permits and Approvals Required”, Page 19, last line: I would recommend changing the wording to “City of Brentwood Encroachment and/or Grading Permit”. With the encroachment permit application process, the city will want to review items such as construction plans, haul truck routes, traffic control, bonds, working hours, and possibly impose conditions such as repair of improvements damaged during construction, periodic coordination with city staff, and potential need for settlement monitoring. **8-5**
6. Section 5.8.2, discussion item g, Page 60:
  - a. If APN 017-110-011 “DLT Ventures (Griffith)” is not made available for stockpiling, It does not appear that the project has adequate space at other locations to stockpile a significant amount of excavated material, based on the other parcels identified in the Section 2.4, Table 1. This could result in a frequency of haul truck traffic that is worthy of further consideration. The City’s permit process will help identify the haul routes and traffic control that will be needed to mitigate impacts. **8-6**

**PUBLIC WORKS DEPARTMENT**

**Mailing Address**

**150 City Park Way, Brentwood, CA 94513**

**[www.brentwoodca.gov](http://www.brentwoodca.gov)**

**Engineering Division**

**Physical Address**

**150 City Park Way, Brentwood, CA 94513**

**Phone (925) 516-5420 – Fax (925) 516-5421**

**Operations Division**

**Physical Address**

**2201 Elkins Way, Brentwood, CA 94513**

**Phone (925) 516-6000 – Fax (925) 516-6001**

- b. I recommend considering less precise language that would leave open the possibility of access from alternative locations. Construction staging may require cycling earthmoving trucks through the project if turn-around space is limited. It should be stipulated that access and haul routes will be agreed upon during the design process, prior to construction. 8-6
7. Section 5.16.1, "Background" – While the statement is true for access directly to the creek, what if other access points are possible? Shouldn't those be mentioned and evaluated also? Other access points are shown on the exhibit for Figure 3, but not discussed anywhere else. However, it should also be noted that some of the streets mentioned above may be under developer control, or may be deemed not suitable for haul truck traffic, and therefore not allowed for construction access. 8-7
8. Section 5.16.3 (.2 was skipped), discussion items "a" and "b", Page 75: In the discussion of duration of construction and construction traffic, it might be useful to see the number of trips per day that would be needed to achieve those durations. Traffic control measures for hauling trucks would likely be justified, and required, as part of an encroachment permit. Also, if parcel017-110-011 would be used for stockpiling, and subsequent trucking away from the site, the access to that property for trucking would be Minnesota Ave. 8-8
9. Section 5.17, Utilities and Service Systems: Even though a conflict or interaction with the existing sewer system, other than adjustments to manhole lids, is extremely unlikely, a response protocol should be created that identifies what actions need to be taken in the event of damage to the existing facilities. 8-9

The City of Brentwood requires vehicular access over the sanitary sewer main that is not subject to the 100 yr flood event. Proposed channel widening near 371+00 would appear to impact that requirement, but widening may have already been accomplished at that location. No typical section for 371+00 is provided to clarify. Relocation of the sanitary sewer main may be necessary to ensure the aforementioned requirement is met.

Thank you again for the opportunity to review and comment on the IS/MND. If you have any questions, please feel free to contact me by phone (925-516-5420) or by e-mail ([shunn@brentwoodca.gov](mailto:shunn@brentwoodca.gov)). The City looks forward to construction of the project.

Very truly yours,



Steven J. Hunn  
Senior Engineer

Cc: Miki Tsubota, Director of Public Works / City Engineer  
Jack Dhaliwal, Assistant Director of Public Works/Engineering  
Steve Kersevan, Engineering Manager  
Erik Nolthenius, Planning Manager  
Martin Lysons, Assistant City Attorney

## Claudia Gemberling

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**From:** Hunn, Steve <shunn@brentwoodca.gov>  
**Sent:** Friday, September 02, 2016 12:25 PM  
**To:** Claudia Gemberling  
**Cc:** Tsubota, Miki; Dhaliwal, Jagtar; Kersevan, Steven; Nolthenius, Erik; Lysons, Martin E.; Silfies, Heather  
**Subject:** RE: Three Creeks Parkway Restoration, IS/MND review  
**Attachments:** Three Creeks IS-MND review R2\_SJH-signed.pdf

Claudia,

Please accept my apology for submitting my review letter prematurely. I've attached an updated letter with one item added and another. Please discard the previous letter submitted. Again, please feel free to call if you have any questions or concerns.

Sincerely,  
Steve Hunn, Senior Engineer  
Public Works/Engineering  
925.516.5370

---

**From:** Hunn, Steve  
**Sent:** Friday, September 02, 2016 9:09 AM  
**To:** 'Claudia Gemberling'  
**Cc:** Tsubota, Miki; Dhaliwal, Jagtar; Kersevan, Steven; Nolthenius, Erik; Lysons, Martin E.; Silfies, Heather  
**Subject:** Three Creeks Parkway Restoration, IS/MND review

Claudia,

Thank you for the opportunity to review the IS/MND for the proposed Three Creeks Parkway Restoration project, County File No. CP 16-39. Please find attached my letter of review and comment on the IS/MND document. Please feel free to call me with any questions.

Sincerely,  
Steve H

**COMMENT LETTER #9. STATE CLEARINGHOUSE** (September 2, 2016)

**Comment 9-1:** The Governor's Office of Planning and Research, State Clearinghouse and Planning Unit noted that the IS/MND was submitted to selected state agencies for review and provided the list of those agencies and comments letters received. The Central Valley Regional Water Quality Control Board was the only agency that submitted a comment letter to the State Clearinghouse.

**Response:** The Central Valley Regional Water Quality Control Board comment letter is addressed in Comment Letter #4 of this package. No further response is necessary.





EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

September 2, 2016

Claudia Gemberling  
Contra Costa County  
255 Glacier Dr  
Martinez, CA 94553



Subject: Three Creeks Parkway Restoration  
SCH#: 2016082008

Dear Claudia Gemberling:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 1, 2016, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

9-1

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2016082008  
**Project Title** Three Creeks Parkway Restoration  
**Lead Agency** Contra Costa County

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**Type** MND Mitigated Negative Declaration

**Description** The County Flood Control and Water Conservation District, in partnership with American Rivers, a non-profit organization that protects rivers and restores damaged rivers, proposes to widen approximately 4,000 lf of the Marsh Creek channel from Dainty Ave to an existing pedestrian bridge just before the UPRR tracks with floodplain benches, which will meet the District's standards for 100-year flood protection, and native riparian vegetation that will enhance habitat and recreation. Some work may occur within the flow line of the creek to create in stream habitat by placing boulders and large woody debris, and the placement of rock slope protection. The project will also include a slight relocation of the existing East Bay Regional Park District Marsh Creek trail along the eastern bank to the new grade.

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**Lead Agency Contact**

<b>Name</b>	Claudia Gemberling		
<b>Agency</b>	Contra Costa County		
<b>Phone</b>	925-313-2192	<b>Fax</b>	
<b>email</b>			
<b>Address</b>	255 Glacier Dr		
<b>City</b>	Martinez	<b>State</b> CA	<b>Zip</b> 94553

---

**Project Location**

<b>County</b>	Contra Costa				
<b>City</b>	Brentwood				
<b>Region</b>					
<b>Lat / Long</b>	37° 56' 04" N / 121° 42' 33" W				
<b>Cross Streets</b>	Central Blvd				
<b>Parcel No.</b>	017-17C-004, -20C-XXX				
<b>Township</b>	1N	<b>Range</b>	2E	<b>Section</b>	12?
				<b>Base</b>	MD

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**Proximity to:**

<b>Highways</b>	4
<b>Airports</b>	
<b>Railways</b>	UPRR
<b>Waterways</b>	Marsh Creek
<b>Schools</b>	Bristow MS
<b>Land Use</b>	Creek: no designation; adjacent land uses: low and medium res density, Ranchette Estate, Park

---

**Project Issues** Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise

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**Reviewing Agencies** Resources Agency; Department of Fish and Wildlife, Region 3; Delta Protection Commission; Department of Parks and Recreation; Central Valley Flood Protection Board; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Bd., Region 5 (Fresno); Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

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<b>Date Received</b>	08/03/2016	<b>Start of Review</b>	08/03/2016	<b>End of Review</b>	09/01/2016
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LOOK UP  
9-1-16  
t



EDMUND G. BRIDGE JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Central Valley Regional Water Quality Control Board

25 August 2016

Governor's Office of Planning & Research

AUG 31 2016

Claudia Gemberling  
Contra Costa County  
Department of Conservation and Development  
255 Glacier Drive  
Martinez, CA 94553

STATE CLEARINGHOUSE

CERTIFIED MAIL

7199 9991 7035 8360 9782

### COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, THREE CREEKS PARKWAY RESTORATION PROJECT, SCH# 2016082008, CONTRA COSTA COUNTY

Pursuant to the State Clearinghouse's 3 August 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Three Creeks Parkway Restoration Project, located in Contra Costa County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

#### I. Regulatory Setting

##### Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCCE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:  
[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/).

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:  
[http://www.waterboards.ca.gov/centralvalleywater\\_issues/basin\\_plans/sacsjr.pdf](http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan



(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml).

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/).

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml).

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

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<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit2.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml)

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2013-0145\\_res.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf)

#### **Regulatory Compliance for Commercially Irrigated Agriculture**

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/app\\_appoval/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_appoval/index.shtml); or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).

#### **Low or Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.



For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0074.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf)

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0073.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf)

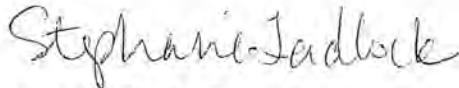
### **NPDES Permit**

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit3.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml)

If you have questions regarding these comments, please contact me at (916) 464-4644 or [Stephanie.Tadlock@waterboards.ca.gov](mailto:Stephanie.Tadlock@waterboards.ca.gov).



Stephanie Tadlock  
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento



**Contra  
Costa  
County**

To: Board of Supervisors

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

Date: September 27, 2016

Subject: AWARD and AUTHORIZE execution of a construction contract for the Slifer Park Improvements - Shade Structures, Discovery Bay Area. (District III)

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**RECOMMENDATION(S):**

(1) APPROVE the plans, specifications and design for the Slifer Park Improvements – Shade Structures, Discovery Bay Area, Project No. 7783-6X5440.

(2) DETERMINE that the lowest monetary bidder, S.R.P. Company, has failed to document an adequate good faith effort to comply with the requirements of the County's Outreach Program, as provided in the project specifications, and the Board FURTHER DETERMINES that S.R.P. Company's bid is non-responsive and REJECTS the bid on that basis; and

(3) DETERMINE that the bid submitted by McNabb Construction, Inc., has complied with the requirements of the County's Outreach Program and has exceeded the Mandatory Subcontracting Minimum for the project, as provided in the project specifications; and FURTHER DETERMINE that McNabb Construction, Inc. has submitted the lowest responsive and responsible bid for this project.

(4) AWARD the construction contract for the above project to McNabb Construction, Inc., in the amount of \$218,491 and DIRECT that the Public Works Director, or designee, prepare the contract.

(5) DIRECT that McNabb Construction, Inc. shall submit two good and sufficient security bonds (performance

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Jason Chen, (925)  
313-2299

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

and payment bonds) in the amount of \$218,491 each.

(6) ORDER that, after the contractor has signed the contract and returned it, together with the bonds, evidence of insurance, and other required documents, and the Public Works Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for this Board.

(7) ORDER that, in accordance with the project specifications and/or upon signature of the contract by the Public Works Director, or designee, any bid bonds posted by the bidders are to be exonerated and any checks or cash submitted for security shall be returned.

(8) AUTHORIZE the Public Works Director, or designee, to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

(9) AUTHORIZE the Public Works Director, or designee, to order changes or additions to the work pursuant to Public Contract Code Section 20142.

(10) 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.

(11) DECLARE that, should the award of the contract to McNabb Construction, Inc. 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:

Funding for this project is provided by Countywide Landscape District (LL-2) Zone 61 (100%).

BACKGROUND:

The above project was previously approved by the Board of Supervisors, plans and specifications are filed with the Board, bids were invited by the Public Works Director. On August 25, 2016, the Public Works Department received bids from the following contractors:

BIDDER	TOTAL BASE BID
S.R.P. Company	\$215,000.00
McNabb Construction, Inc.	\$218,491.00
T Amarals Done Right Construction	\$295,000.00

The Public Works Director has determined that the low bidder, S.R.P. Company, submitted a non-responsive bid by failing to document an adequate good faith effort to comply with the requirements of the County's Outreach Program, as provided in the project specifications, and the Public Works Director recommends rejection of the bid submitted by S.R.P. Company.

On September 8, 2016, S.R.P. Company was notified in writing of the Public Works Director's determination. A copy of the letter is attached to this Board Order. S.R.P. Company did not appeal the determination.

The Public Works Director has determined that McNabb Construction, Inc. 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 McNabb Construction, Inc.

The Public Works Director recommends that the bid submitted by McNabb Construction, Inc. is the lowest responsive and responsible bid, and this Board concurs and so finds.

The Board of Supervisors previously determined that this project is exempt from the California Environmental Quality Act (CEQA), Class 3(e) Categorical Exemption, pursuant to Article 19, Section 15303(e) of the CEQA Guideline during the May 22, 2012 board meeting.

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

CONSEQUENCE OF NEGATIVE ACTION:

If the construction contract is not awarded, the project will not be constructed.



Contra  
Costa  
County

To: Contra Costa County Flood Control District Board of Supervisors

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

Date: September 27, 2016

Subject: Creek and Channel Safety Awareness Month and its Associated Program, Countywide. Project No. 7520-6B8311

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2016/547 declaring October 2016 as Creek and Channel Safety Awareness Month; and

ACCEPT the following status report from the Public Works Department and the Contra Costa County Flood Control & Water Conservation District (FC District) on the Creek and Channel Safety Awareness Program (CCSAP); and

DIRECT the Public Works Department and the FC District to continue with implementation and the annual campaign of a Countywide sustainable CCSAP, including a follow-up report to this Board in one year.

**FISCAL IMPACT:**

Annual notices, outreach, and maintenance of safety features for this year is estimated to cost \$100,000 and will be funded by Flood Control Zone 3B.

**BACKGROUND:**

On March 1, 2011, the Board of Supervisors directed the FC District to

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Tim Jensen, (925)  
313-2390

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

By: , Deputy

cc: David Twa, CAO, Thomas Geiger, County Counsel's Office, Sharon Hymes-Offord, Risk Management, Betsy Burkhart, CCTV, Steve Kowalewski, Deputy Chief Engineer, Mike Carlson, Flood Control, Tim Jensen, Flood Control, Carrie Ricci, P.W. Administration, Catherine Windham, Flood Control

#### BACKGROUND: (CONT'D)

develop a sustainable and impactful outreach program to promote creek and channel safety throughout the County, after the drowning of two high school students in the Walnut Creek channel. In response, the FC District formed a CCSAP team that developed a strategy to achieve this goal.

On October 4, 2011, the Board declared October 2011 as the first Creek and Channel Safety Awareness Month, accepted the status report from the FC District on the Creek and Channel Safety Awareness Program, approved the implementation plan, and directed the FC District to continue with implementation and initiation of an annual campaign of a sustainable Creek and Channel Safety Awareness Program, including a follow-up report to the Board in one year.

Since then, the Board of Supervisors received and approved a status report on the Annual Creek and Channel Safety Awareness Program and declared October as Creek and Channel Safety Awareness Month in 2012, 2013, 2014, and 2015. The Board of Supervisors also directed the FC District to continue with implementation and the annual campaign of a Countywide sustainable Creek and Channel Safety Awareness Program, including a follow-up report to this Board in one year.

This past year, we completed the annual outreach to schools in September and worked with Walnut Creek Intermediate School to put on a Creek and Channel Safety Week. The Creek and Channel Safety Awareness Program conducted its first safety week at Walnut Creek Intermediate School working with the leadership class to help develop and implement events for students that would raise student awareness of the “Stay Out, Stay Alive!” campaign. The highly successful program engaged hundreds of students in such activities as a poster competition and trivia contest, and it received positive local news coverage including several student interviews. This occurred the week of October 19–23 as part of our annual Creek and Channel Safety Month. Several student posters were laminated and placed in prominent locations in downtown Walnut Creek to communicate their safety message through the winter. These posters will be part of an annual campaign and will be displayed in downtown Walnut Creek each winter.

The Chief Engineer, FC District, recommends that the Board declare October 2016 as Creek and Channel Safety Awareness Month, accept the above report, and direct the Public Works Department and FC District to continue with implementation and the annual campaign of a Countywide sustainable Creek and Channel Safety Awareness Program, including a follow-up report to this Board in one year.

#### CONSEQUENCE OF NEGATIVE ACTION:

If this Resolution is not adopted, members of the public may not receive important information about creek and channel safety.

#### CHILDREN'S IMPACT STATEMENT:

The FC District will continue to work with the schools and youth-based groups within the County to educate children about safety regarding creeks and flood control channels.

#### ATTACHMENTS

Resolution No. 2016/547

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

Adopted this Resolution on 09/27/2016 by the following vote:

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



**Resolution No. 2016/547**

In The Matter Of: Declaring October 2016 as Creek and Channel Safety Awareness Month, Countywide.

WHEREAS, various regional flood control channels were constructed in Contra Costa County to efficiently drain stormwater and runoff from within the cities and towns; and

WHEREAS, in April 2010, a family lost a husband and son in the rain-swollen Walnut Creek Channel; and

WHEREAS, in February 2011, two young men drowned in the same channel; and

WHEREAS, on March 1, 2011, the Board of Supervisors directed the County Public Works Department and Contra Costa County Flood Control & Water Conservation District to pursue a sustainable outreach program to educate the public on the benefits and dangers of creeks and channels; and

WHEREAS, continued education of the public about creeks and channels has been determined as the best way to keep citizens safe and avoid future tragedies; and

WHEREAS, the Creek and Channel Safety Awareness Program is now being implemented Countywide with an annual declaration of October as Creek and Channel Safety Awareness Month to remind the public of the Program.

NOW, THEREFORE, BE IT RESOLVED that the Contra Costa County Board of Supervisors hereby declares October 2016 as Creek and Channel Safety Awareness Month encouraging the public to be informed about the benefits and dangers of creeks and channels throughout Contra Costa County.

I hereby certify that this 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: Tim Jensen, (925) 313-2390**

**ATTESTED: September 27, 2016**

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

By: , Deputy

**cc:** David Twa, CAO, Thomas Geiger, County Counsel's Office, Sharon Hymes-Offord, Risk Management, Betsy Burkhart, CCTV, Steve Kowalewski, Deputy Chief Engineer, Mike Carlson, Flood Control, Tim Jensen, Flood Control, Carrie Ricci, P.W. Administration, Catherine Windham, Flood Control





Contra  
Costa  
County

To: Board of Supervisors  
From: Sharon Offord Hymes, Risk Manager  
Date: September 27, 2016

Subject: Final Settlement of Claim, Debra Fernandez v. Contra Costa County

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**RECOMMENDATION(S):**

RECEIVE this report concerning the final settlement of Debra Fernandez and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed \$190,000, less permanent disability advances.

**FISCAL IMPACT:**

Workers' Compensation Internal Service Fund Payment of \$190,000, less permanent disability advances.

**BACKGROUND:**

Attorney Gregory M. Stanfield, defense counsel for the County, has advised the County Administrator that within authorization an agreement has been reached settling the workers' compensation claim of Debra Fernandez v. Contra Costa County. The Board's September 13, 2016 closed session vote was: Supervisors Gioia, Andersen, Piepho, Mitchoff, and Glover - Yes. This action is taken so that the terms of this final settlement and the earlier September 13, 2016 closed session vote of this Board authorizing its negotiated settlement are known publicly.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Sharon Hymes-Offord  
925.335.1450

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Case will not be settled.



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: September 27, 2016

Subject: Claims

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**RECOMMENDATION(S):**

DENY claims filed by Enterprise Damage Recovery Unit, Robin McCloud, Zoila Quiroz, and Sergio Rimoldi. DENY late claims filed by Diana Lee Byrns and Edward Haney.

**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: **09/27/2016** ☐ 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: September 27, 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: John Gioia, District I Supervisor  
Date: September 27, 2016

Subject: Proclamation honoring the service of youth leader Joseph Jackson

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**RECOMMENDATION(S):**

ADOPT Resolution No. 2016/513 honoring the service of Joseph Jackson, who has served for two years ending August 30, 2016, as Chair of the Youth Council in the City of Richmond.

**FISCAL IMPACT:**

None

**BACKGROUND:**

Joseph Jackson, resident of Richmond and Richmond native, attended Richmond Public and Charter schools. He visits and uses West Contra Costa County's parks and libraries. Mr. Jackson is the first African American to serve on the Richmond Youth Council, and also its first elected chairperson.

Jackson enjoys sports. His favorite teams are the Oakland Athletics, Golden State Warriors and Cleveland Cavaliers. Jackson is a member of the United States National Guard, and an avid believer of community policing where not only the police protect the communities they're sworn to serve, but work with the residents as well.

Jackson has served on numerous civic bodies and committees, including the City of Richmond's Juneteenth Festival planning committee and the Vote16USA Youth Advisory Board.

Chair Jackson's favorite quote is his own: "It's what we do in our darkest moments, that define our brightest moments."

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Robert Rogers  
510-231-8688

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

By: , Deputy

cc:

## ATTACHMENTS

Resolution No.

2016/513

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

**In the matter of:**  
**Supporting youth leadership in Contra Costa County**

**Resolution No. 2016/513**

**Whereas**, Joseph Jackson is a resident of Richmond and has attended Richmond Public and Charter schools, and used and supported public parks and libraries; and  
**Whereas**, Jackson is a member of the U.S. National Guard, and a proponent of community policing strategies; and  
**Whereas**, Jackson is the first African American to serve on the Richmond Youth Council; and  
**Whereas**, Jackson is the the Richmond Youth Council's first elected chair; and  
**Whereas**, Jackson has served on numerous civic bodies and committees, including the City of Richmond's Juneteenth Festival planning committee and the Vote16USA Youth Advisory Board; and  
**Whereas**, Jackson is credited with the quote: "It's what we do in our darkest moments, that defines our brightest moments".

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County do hereby honor Joseph Jackson for his service as the chair of the Youth Council for the City of Richmond.

\_\_\_\_\_  
**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: September 27, 2016

David J. Twa,

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: September 27, 2016

Subject: Recognizing Poll Worker Appreciation Week in Contra Costa County

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Gayle Israel (925)  
957-8860

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

By: , Deputy

cc:



## ATTACHMENTS

Resolution No.

2016/518

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

In the matter of:

**Resolution No. 2016/518**

**Recognizing Poll Worker Appreciation Week in Contra Costa County**

**WHEREAS**, Contra Costa County Elections Division has 278 polling locations around the county; and  
**WHEREAS**, the Elections Division relies on more than 2,000 trained volunteers to open and close the polls on Election Day; and  
**WHEREAS**, these pollworkers play a critical role in making sure voters are treated fairly, are given the correct materials to vote and can cast their ballot without any outside distractions; and  
**WHEREAS**, pollworkers safeguard the rights of every registered voter as ~~the~~ they make their voices heard in the governance of the county, the state, the county, the cities and special districts; and  
**WHEREAS**, pollworker volunteers are the foundation of our country's electoral system and our democratic heritage; and  
**WHEREAS**, these individuals are often the face that the public associates with the electoral process; and  
**WHEREAS**, the poll workers are the unsung heroes that continue to make it possible for our county and country to be able to choose our leaders and the laws that we follow as a society.

**NOW, THEREFORE BE IT RESOLVED**, that the members of the Contra Costa County Board of Supervisors recognize the hard work of those Contra Costa residents for volunteering as pollworkers. We honor their civic service; and **BE IT FURTHER RESOLVED**, that the Board of Supervisors encourages all civic-minded citizens to volunteer as pollworkers in Contra Costa County for the 2016 Presidential Election and the future.

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**CANDACE ANDERSEN**

Chair,  
District II Supervisor

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**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: September 27, 2016

David J. Twa,

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: September 27, 2016

Subject: Resolution recognizing September as Anti-Hazing Awareness Month

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

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

Contact: Lauri  
957-8860

By: , Deputy

cc:

ATTACHMENTS

Resolution No.  
2016/521

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

In the matter of:  
recognizing September as Anti-Hazing Awareness Month.

**Resolution No. 2016/521**

**WHEREAS**, sixty-seven percent of college students joining a club or organization will be hazed whether or not their club or school condones it, and forty-seven percent of students have been hazed prior to going off to college; and

**WHEREAS**, it is documented that hazing occurs as early as elementary school; and

**WHEREAS**, hazing resulting in death dates back to the early 1800s, and since 1969 hazing deaths have occurred every year with thousands more sustaining serious physical and psychological injuries; and

**WHEREAS**, hazing promotes brutality, degradation, humiliation, molestation, and self-loathing; and

**WHEREAS**, the AHA! (Anti Hazing Awareness) Movement was created in the memory of Matt Carrington who was killed in a water hazing event while pledging a fraternity, and provides significant leadership in the area of community involvement in the education of our youth, grounded in the principle that education on the dangers of hazing is key to the community's well-being and long-term quality of life; and

**WHEREAS**, the AHA! Movement promotes making better choices, understanding that there are consequences for actions, respect for one another, personal development, and finding alternatives to hazing; and

**WHEREAS**, the AHA! Movement is committed to end the senseless and tragic cycle of deaths from hazing by reaching out to empower and educate our young people.

Now, Therefore, Be It Resolved that the Contra Costa County Board of Supervisors recognizes September as Anti-Hazing Awareness Month in Contra Costa County and encourages residents to educate young persons and family members on the dangers of hazing and engage in programs to support the end of hazing.

\_\_\_\_\_  
**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: September 27, 2016

David J. Twa,

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

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016



Contra  
Costa  
County

Subject: Recognizing Maria Ferrer for Twenty-Five Years of Service

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Abigail O'Connor  
925-957-5240

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

By: , Deputy

cc:

## ATTACHMENTS

Resolution No.  
2016/549



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

**In the matter of:**

**Resolution No. 2016/549**

**Honoring Maria Ferrer upon the occasion of 25 years of service with the Contra Costa County Health Services Department.**

WHEREAS, Maria began her career with Contra Costa County Health Services as a temporary Account Clerk –Experienced Level on July 1, 1991; and

WHEREAS, Maria received a commendation on August 24, 1995 from Andy Parsons, from the Contra Costa County Occupational Health Division in recognition of her work and accomplishments with the AB 2185 (Business Plan) program; and

WHEREAS, Maria became a permanent Account Clerk –Advanced Level on February 1, 1996; and

WHEREAS, Maria was promoted to Accountant III on December 15, 2003.

Now, Therefore, Be It Resolved, that Maria Ferrer be recognized and thanked for her contributions to the General Accounting - Finance Division of the Contra Costa Health Services Department during her 25 years of service.

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**CANDACE ANDERSEN**

Chair,  
District II Supervisor

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**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: September 27, 2016

David J. Twa,

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



Contra  
Costa  
County

To: Board of Supervisors

From: FAMILY & HUMAN SERVICES COMMITTEE

Date: September 27, 2016

Subject: Appointments to the Contra Costa Commission for Women

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**RECOMMENDATION(S):**

APPOINT Beth Mora to the At-Large seat #11 and Lanita Mims to the At-Large seat #12 on the Contra Costa Commission for Women, with terms expiring February 28, 2018, as recommended by the Family and Human Services Committee.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Contra Costa Commission for Women (CCCW) was formed to educate the community and advise the Contra Costa County Board of Supervisors and other entities on the issues relating to the changing social and economic conditions of women in the County, with particular emphasis on the economically disadvantaged.

The Committee consists of 20 members and one alternate, including:

- Five district representatives; (one from each supervisorial district)
- Fifteen at large members; and
- One at large alternate

The five district representatives are nominated for a three year term by each of the five members of the Board of Supervisors.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☒ 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: September 27, 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 fifteen at large members and one at large alternate are nominated by the CCCW membership committee and forwarded to the full CCCW.

On September 12, 2016, the Family and Human Services Committee approved the recommended reappointments of Ms. Mora and Ms. Mims, and are therefore recommending the full Board's approval of these appointments.

CONSEQUENCE OF NEGATIVE ACTION:

Seats on the Commission will not be filled.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Redacted Lanita Mims

Redacted Beth Mora



Contra  
Costa  
County

For Office Use Only

Date Received:

For Reviewers Use Only:

Accepted Rejected

## BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:

Contra Costa County

CLERK OF THE BOARD

651 Pine Street, Rm. 106

Martinez, California 94553-1292

PLEASE TYPE OR PRINT IN INK

(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. Name:     
(Last Name) (First Name) (Middle Name)

2. Address:    
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. Phones:     
(Home No.) (Work No.) (Cell No.)

4. Email Address:

5. EDUCATION: Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) <input type="text" value="College of Alameda"/>	<input type="text" value="Business"/>	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
B) <input type="text"/>	<input type="text"/>	Yes No <input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
C) <input type="text"/>	<input type="text"/>	Yes No <input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			
<input type="text"/>	<input type="text"/>	<input type="text"/>				

THIS FORM IS A PUBLIC DOCUMENT

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px;">6/1998</div> <div style="border: 1px solid black; padding: 2px;">1/2013</div> </div> <p>Total: <u>Yrs.</u>      <u>Mos.</u>  <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px;">16</div> <div style="border: 1px solid black; padding: 2px;"></div> </div> <p>Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p> </p></p>	<p>Title  <div style="border: 1px solid black; padding: 5px; text-align: center;">Program Director</div> <p>Employer's Name and Address  <div style="border: 1px solid black; padding: 5px; text-align: center;">Seneca Center</div> </p> </p>	<p>Duties Performed  <div style="border: 1px solid black; padding: 5px; text-align: center;">Supervised staff worked w/ families</div> </p>
<p>B) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px;">1/2003</div> <div style="border: 1px solid black; padding: 2px;">Current</div> </div> <p>Total: <u>Yrs.</u>      <u>Mos.</u>  <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px;">18</div> <div style="border: 1px solid black; padding: 2px;"></div> </div> <p>Hrs. per week <u>    </u> . Volunteer <input type="checkbox"/></p> </p></p>	<p>Title  <div style="border: 1px solid black; padding: 5px; text-align: center;">Owner</div> <p>Employer's Name and Address  <div style="border: 1px solid black; padding: 5px; text-align: center;">Tub-A-Roo Entertainment</div> </p> </p>	<p>Duties Performed  <div style="border: 1px solid black; padding: 5px; text-align: center;">Special Events. Specialist</div> </p>
<p>C) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px;"></div> <div style="border: 1px solid black; padding: 2px;"></div> </div> <p>Total: <u>Yrs.</u>      <u>Mos.</u>  <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px;"></div> <div style="border: 1px solid black; padding: 2px;"></div> </div> <p>Hrs. per week <u>    </u> . Volunteer <input type="checkbox"/></p> </p></p>	<p>Title  <div style="border: 1px solid black; padding: 5px; text-align: center;"></div> <p>Employer's Name and Address  <div style="border: 1px solid black; padding: 5px; text-align: center;"></div> </p> </p>	<p>Duties Performed  <div style="border: 1px solid black; padding: 5px; text-align: center;"></div> </p>
<p>D) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px;"></div> <div style="border: 1px solid black; padding: 2px;"></div> </div> <p>Total: <u>Yrs.</u>      <u>Mos.</u>  <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 2px;"></div> <div style="border: 1px solid black; padding: 2px;"></div> </div> <p>Hrs. per week <u>    </u> . Volunteer <input type="checkbox"/></p> </p></p>	<p>Title  <div style="border: 1px solid black; padding: 5px; text-align: center;"></div> <p>Employer's Name and Address  <div style="border: 1px solid black; padding: 5px; text-align: center;"></div> </p> </p>	<p>Duties Performed  <div style="border: 1px solid black; padding: 5px; text-align: center;"></div> </p>



7. How did you learn about this vacancy?

☒ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☐ Other

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Commi or Commission in Contra Costa County.

Sign Nan

Date:

8/16/2016

### Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at **651 Pine Street, Room 106, Martinez, CA 94553**.
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.



Contra  
Costa  
County

For Office Use Only  
Date Received:

For Reviewers Use Only:  
Accepted Rejected

## BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

**MAIL OR DELIVER TO:**

Contra Costa County  
CLERK OF THE BOARD  
651 Pine Street, Rm. 106  
Martinez, California 94553-1292  
PLEASE TYPE OR PRINT IN INK  
(Each Position Requires a Separate Application)

**BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:**

Commission For Women

At Large

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Mora Beth Wolf  
(Last Name) (First Name) (Middle Name)

2. **Address:** Danville California 94506  
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** n/a  
(Home No.) (Work No.) (Cell No.)

4. **Email Address:**

**5. EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved Juris Doctor (J.D.)

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Sonoma State University	Liberal Studies, Hutchins	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			B.A.	5/30/1997
B) Golden Gate University, School of Law	Law	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			J.D.	5/20/2000
C)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			



6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div>2/12/2001</div> <div>8/16/2016</div> <p>Total: <u>Yrs.</u>      <u>Mos.</u>  <div>15</div> <div>6</div> <p>Hrs. per week <div>60</div> . Volunteer <input type="checkbox"/></p> </p></p>	<p>Title  <div>Attorney &amp; Business Owner</div> <p>Employer's Name and Address  Mora Employment Law  18 Crow Canyon Court, Suite 145  San Ramon, CA 94583  Tele: 925-820-8949  bmora@moraellaw.com </p> </p>	<p>Duties Performed  Hired on February 12, 2001. I became managing partner/owner on July 18, 2003. From inception practiced plaintiff employment law, including but not limited to, gender/race discrimination, sexual harassment, pregnancy discrimination, disability accommodation, wrongful termination, sexual assault/battery, wage claims, as well as other claim. </p>
<p>B) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div>2011</div> <div>2015</div> <p>Total: <u>Yrs.</u>      <u>Mos.</u>  <div>4</div> <div></div> <p>Hrs. per week <div>10</div> . Volunteer <input checked="" type="checkbox"/></p> </p></p>	<p>Title  <div>President, MCLE Cord. (2012-2015)</div> <p>Employer's Name and Address  Contra Costa County Bar Association  Employment Law Section  One Concord Center  2300 Clayton Road  Suite 520  Concord, CA 94520 </p> </p>	<p>Duties Performed  Held several positions on the CCCBA Employment Law Section Board including President and MCLE coordinator (legal continuing education). I planned/lead/organized approximately 6 to 12 events a year as to labor/employment law matters. Recruited members, engaged in advertising, fundraising, outreach, and managed a budget. </p>
<p>C) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div>2013</div> <div>2016</div> <p>Total: <u>Yrs.</u>      <u>Mos.</u>  <div>3</div> <div></div> <p>Hrs. per week <div>2</div> . Volunteer <input checked="" type="checkbox"/></p> </p></p>	<p>Title  <div>Board Member at Large &amp; Member</div> <p>Employer's Name and Address  Contra Costa County Bar Association  Women's Law Section  One Concord Center  2300 Clayton Road  Suite 520  Concord, CA 94520 </p> </p>	<p>Duties Performed  As a Women's Section member (2013-2015) volunteer work included advertising, outreach, seeking donations, as well as I was in charge of and created a section wide referral/contact list for all women section members. Ultimately created the same for the employment section. During the referral project volunteer hours increased to at least 10 a week. </p>
<p>D) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div>2013</div> <div>2016</div> <p>Total: <u>Yrs.</u>      <u>Mos.</u>  <div>2</div> <div>10</div> <p>Hrs. per week <div>4</div> . Volunteer <input checked="" type="checkbox"/></p> </p></p>	<p>Title  <div>Girl Scouts, Troop Co-Leader</div> <p>Employer's Name and Address  Girl Scouts  Troop 30716  Sycamore Valley Elementary School  Danville, CA 94506 </p> </p>	<p>Duties Performed  As a Girl Scouts Troop Co-Leader for nearly three (3) years I organized educational events for girls with a focus towards non-profits/donations and helping others, lead troop meetings as well as maintained the Troop yearly calendar. Further, I assisted my Co-Leaders on all other matters. </p>

7. How did you learn about this vacancy?

☒ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other Phyllis Gordon

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

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

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

*August 16, 2016*

### Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA and for  
Special Districts, Agencies and Authorities Governed by the Board Adopted Resolution  
no. 2011/55 on 2/08/2011 as follows:**

IN THE MATTER OF ADOPTING A POLICY MAKING FAMILY MEMBERS OF THE BOARD OF SUPERVISORS INELIGIBLE FOR APPOINTMENT TO BOARDS, COMMITTEES OR COMMISSIONS FOR WHICH THE BOARD OF SUPERVISORS IS THE APPOINTING AUTHORITY

WHEREAS the Board of Supervisors wishes to avoid the reality or appearance of improper influence or favoritism;  
NOW, THEREFORE, BE IT RESOLVED THAT the following policy is hereby adopted:

I. SCOPE: This policy applies to appointments to any seats on boards, committees or commissions for which the Contra Costa County Board of Supervisors is the appointing authority.

II. POLICY: A person will not be eligible for appointment if he/she is related to a Board of Supervisors' Member in any of the following relationships:

1. Mother, father, son, and daughter;
2. Brother, sister, grandmother, grandfather, grandson, and granddaughter;
3. Great-grandfather, great-grandmother, aunt, uncle, nephew, niece, great-grandson, and great-granddaughter;
4. First cousin;
5. Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
6. Sister-in-law (brother's spouse or spouse's sister), brother-in-law (sister's spouse or spouse's brother), spouse's grandmother, spouse's grandfather, spouse's granddaughter, and spouse's grandson;
7. Registered domestic partner, pursuant to California Family Code section 297.
8. The relatives, as defined in 5 and 6 above, for a registered domestic partner.
9. Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.



# MORA EMPLOYMENT LAW

18 Crow Canyon Court, Suite 145  
San Ramon CA 94583  
T 925 820 8949 F 925 820 0278  
[www.moraemploymentlaw.com](http://www.moraemploymentlaw.com)

Attorney Beth W. Mora owner of MORA EMPLOYMENT LAW, a law firm dedicated to representing victimized employees. She is a zealous and skilled advocate for those facing a range of employment law issues. In every case she handles, Ms. Mora is committed to aggressively pursuing her clients' best interests while treating each person she serves with integrity and compassion.



## **Court and Bar Admissions**

- State of California, 2000
- U.S. District Court, Northern District of California, 2001
- U.S. District Court, Eastern District of California, 2001
- Court of Appeal in the State of California, 2008

## **Honors**

- Top 50: 2016 Women Northern California Super Lawyer
- Martindale-Hubbell "AV" Rated
- AVVO Rated, Superb "10"
- Super Lawyer, Northern California, Plaintiff Employment Law - 2015, 2016
- Super Lawyer, Northern California, Plaintiff Employment Law, Rising Star - 2011, 2012, 2013 & 2014
- Super Lawyer, Top Women Attorneys in No. CA, San Francisco Magazine Power Issue, Plaintiff Employment Law, Rising Star - December 2012 and December 2013
- Best of San Ramon, Labor & Employment Law Attorneys, US Local Business Assoc. - 2008

## **Professional Associations**

- State Bar of California, Labor and Employment Law Section, 2001 to present
- California Employment Lawyers Association ("CELA"), 2002 to present
- National Employment Lawyers Association ("NELA"), 2001 to present
- California Women Lawyers (CWL), 2016 to present
- Contra Costa County Bar Association, Employment Law Section: Board Member (2011 - 2012, 2015); President (2013), MCLE Coordinator (2014), and Section Member (2016)
- Contra Costa County Bar Association, Women's Section: Board Member at Large (2014) and Section Member (2013, 2015 - 2016)
- San Francisco Trial Lawyers Association, 2013, 2015 and 2016
- Alameda & Contra Costa County Trial Lawyers Association, 2013 and 2015

### Speaking Events

- *The Early Use of Experts in Wage and Hour Litigations*. Continuing Legal Education, March 4, 2011
- *Mysterious Elements of California Labor Code*. Contra Costa County Bar Association "CCCBA", Employment Section, March 22, 2011
- *2011 Employment Law Update*. CCCBA, Employment Law Section, January 25, 2012
- *2012 Wage & Hour Update*. CCCBA, Employment Law Section, February 19, 2013
- *Employers & Employees, The Workplace Jungle, Can it be Paradise?* City of San Ramon Chamber of Commerce, September 19, 2013
- *Women - What You Need to Know About Taking Leave*. Elimination of Bias credit. Asian American Bar Association, "AABA", November 13, 2013
- *Women in the Workplace*. Elimination of Bias credit. CCCBA MCLE Spectacular, November 22, 2013
- *Women in the Workplace II: The Female Attorney*. November 18, 2014
- *The Morning After, What Happens After an Investigation*. March 4, 2015
- *Day of Trial Settlement Conference Tips from the Bench & Settlement Mentor Experts*. CCCBA MCLE Spectacular, November 20, 2015.

### Publications

- *Undocumented Workers are Entitled to Vote in Union Elections – But are They "Employees" Under the Law?* 30 Golden Gate U.L. Rev. 57 (March Session 2000)
- *Co-Guest Editor, Employment Law Magazine*, April 2013, Contra Costa County Bar Association Magazine, On-Line Version
- *"Wolf at Work"*, February 2015 edition of the CCCBA magazine focusing on Women's issues.
- *"The First Female Lawyer in California: Clara S. Foltz"* 1 hour Elimination of Bias, CCCBA Self-Study, November 20, 2015.
- *"Employment Law Perspective"* June 2016 edition of the CCCBA magazine.

### Previous Work Experience

- Presidential Management Internship Program, August 2000 – February 2001
  - United States Department of Labor, Secretary's Exceptional Achievement Award
- Employment Law Center, San Francisco Legal Aid Society, Intern in SF; Clinic Volunteer in Berkeley (1999 to Present)
- Equal Employment Opportunity Commission ("EEOC"), San Francisco Office, Intern
- Women's Employment Rights Clinic, Golden Gate University, School of Law, Intern

### Education

- Golden Gate University School of Law, JD May, 2000
  - Employment Law Certificate of Specialization with Distinction – May 20, 2000
  - Public Interest Certificate of Specialization with Distinction – May 20, 2000
  - CALI Award for Excellence in Advanced Labor & Employment Law
  - Law Review, Research & Writer Editor – 1999 to 2000
- Sonoma State University, B.A. Liberal Arts, Graduated with Honors - 1997





# Commission for Women

P.O. Box 6695, Concord, CA 94520, [womenscommission@gmail.com](mailto:womenscommission@gmail.com)  
[www.womenscommission.com](http://www.womenscommission.com)

## COMMISSIONER APPLICATION

Name: Beth W. Mora

Address: Danville, CA 94506

Home Phone:

Work Phone:

Email:

Occupation: Attorney

Present Employment: Mora Employment Law

Education: Sonoma State University, BA May 1997  
Golden Gate University School of Law, J.D. May 2000

Professional and Fraternal Memberships (including any offices held):

Please see attached resume under "Professional Associates."

How did you hear about the Contra Costa Commission for Women (CCCW)?

Online Research, further discussion with Phyllis Gordon and Membership Committee.

What experience, if any, do you have with county commissions and how long did you serve on each?

None. No previous service in a county role or position.

[Type text]

Do you have any experience/skills in any of the following areas (circle all that apply)?

<u>Law/Legislation</u>	<u>Government</u>	<u>Community Services</u>	<u>Event Planning</u>
Accounting	<u>Health</u>	Graphic Arts	<u>Diversity</u>
<u>Marketing</u>	<u>Fundraising</u>	<u>Public Relations</u>	Women Vets
<u>Finance</u>	Computer/IT	<u>Administrative</u>	<u>Leadership</u>
Web Development	Writing/Blogging	<u>Social Media</u>	

Helped build my own website, do not believe this counts as web development, computer/IT

Other Skills/Areas of expertise you can contribute to the Commission:

Significant knowledge base in women's rights, work place rights, empowering women, speaking events - leading and organizing.

Do you serve on any Board of Directors/Trustees? If so, which ones and for how long did you serve on each?

No.

Have you had any board orientation and/or training?

Only served on Bar Association Boards which came with their specific training, three times.

Are you involved in any other community organizations or activities? If so, which ones?

Contra Costa County Bar Association, California Women Lawyers and California Employment Lawyer Events/activities.

Why do you want to serve on the CCCW? What goals would you like to see the Commission achieve?

As a working mother of an 8 year old daughter, attorney who believes passionately about women's issues, the commission and what it does for the women and girls of this county is a direct way to give back, meet those goals and help see positive results. Something I can teach my daughter to be proud of.

PLEASE ATTACH A RESUME

A Commissioner assures that all actions of the organization further the Commission's mission to improve economic status, social welfare, and overall quality of life for women in Contra Costa County.

Contra Costa Commission for Women, womenscommission@gmail.com, www.womenscommission.com





**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: September 27, 2016

Subject: Employment & Human Services (0501, 0502, 0503, 0581, 0586) Appropriation Adjustment

---

**RECOMMENDATION(S):**

APPROVE Appropriation and Revenue Adjustment #5006 authorizing a decrease in temporary salaries of \$702,415, a decrease in professional services of \$1,559,021 and an increase of \$4,319,273 in new revenues from the State of California, Federal Titles IV-B and IV-E of Social Security Act, Title XIX IHSS Health Related, and Edward Byrne Memorial Justice Assistance, and appropriating it to personnel expenses to support forty-nine new positions and funding nine previously approved positions related to Position Adjustment Resolution No. 21846 approved on April 19, 2016, in the Employment and Human Services Department.

**FISCAL IMPACT:**

This action will provide funding to support nine new positions and nine existing positions in the Aging and Adult Bureau, one position in the Administration Bureau, two positions for the Zero Tolerance for Domestic Violence unit within the Bureau of the Director, and thirty-seven positions in the Children and Family Services Bureau. The cost of this action is \$6,580,709, which includes estimated pension costs of \$1,278,388. Of the \$6.5 mil, \$2,261,436 is originating from budget reductions in both professional services and temporary staff and the remaining amount is offset by new revenues from the State of California Federal Titles IV-B and IV-E of the Social Security Act, Title XIX IHSS health related, and Edward Byrne Memorial Justice Assistant funding sources. These new revenues to support these positions will continue in FY 2017/18.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Erik Brown  
925-313-1561

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

By: , Deputy

cc:

**BACKGROUND:**

The Employment and Human Services Department (EHSD) is requesting to add forty-nine (49) positions in an effort to meet the program mandates in Zero Tolerance for Domestic Violence, Adult Protective Services, In-home Supportive Services and Child Welfare as described in the Position Adjustment Resolutions #21928, #21929, #21930, #21931, #21932, #21933, #21934, #21935, #21936, #21937, # 21939, #21941 and #21942.

**CONSEQUENCE OF NEGATIVE ACTION:**

If these positions are not added, the department will not be able to fully maximize its revenue sources and to provide needed services to the public.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.

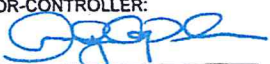

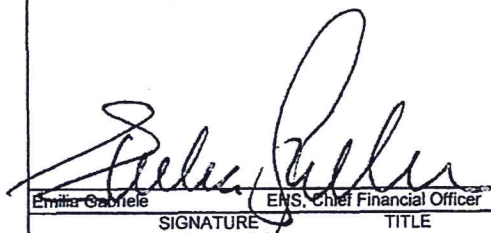
**ATTACHMENTS**

Appro adj 5006

CONTRA COSTA COUNTY APPROPRIATION ADJUSTMENT  T/C 27		AUDITOR-CONTROLLER USE ONLY FINAL APPROVAL NEEDED BY:			
		<input checked="" type="checkbox"/> BOARD OF SUPERVISORS <input checked="" type="checkbox"/> COUNTY ADMINISTRATOR <input checked="" type="checkbox"/> AUDITOR CONTROLLER			
ACCOUNT CODING		DEPARTMENT : DEPT. 0501, 0502, 0503, 0504, 0581 and 0586			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
<b>A</b>					
5101	1011	PERMANENT SALARIES			98,914
5101	1013	TEMPORARY SALARIES		155,011	
5101	1015	DEFERRED COMP			1,800
5101	1042	FICA/MEDICARE			4,778
5101	1044	RETIREMENT EXPENSE			32,839
5101	1060	EMPLOYEE GROUP INSURANCE			13,524
5101	1063	UNEMPLOYMENT INSURANCE			267
5101	1070	WORKERS COMP INSURANCE			2,889
<b>B</b>					
5216	1011	PERMANENT SALARIES			548,228
5216	1015	DEFERRED COMP			16,200
5216	1042	FICA/MEDICARE			26,479
5216	1044	RETIREMENT EXPENSE			182,012
5216	1060	EMPLOYEE GROUP INSURANCE			121,716
5216	1063	UNEMPLOYMENT INSURANCE			1,480
5216	1070	WORKERS COMP INSURANCE			16,014
5123	2310	PROFESSIONAL SERVICES		912,129	
5123	5022	INTRAFUND-TRANS-SERVICES			912,129
5216	5022	INTRAFUND-TRANS-SERVICES		912,129	
5220	1011	PERMANENT SALARIES			206,244
5220	1015	DEFERRED COMP			5,400
5220	1042	FICA/MEDICARE			9,962
5220	1044	RETIREMENT EXPENSE			68,473
5220	1060	EMPLOYEE GROUP INSURANCE			40,572
5220	1063	UNEMPLOYMENT INSURANCE			557
5220	1070	WORKERS COMP INSURANCE			6,024
5123	2310	PROFESSIONAL SERVICES		337,232	
5123	5022	INTRAFUND-TRANS-SERVICES			337,232
5220	5022	INTRAFUND-TRANS-SERVICES		337,232	
<b>C</b>					
5216	1011	PERMANENT SALARIES			1,771,062
5216	1015	DEFERRED COMP			45,000
5216	1042	FICA/MEDICARE			85,542
5216	1044	RETIREMENT EXPENSE			587,993
5216	1060	EMPLOYEE GROUP INSURANCE			338,100
5216	1063	UNEMPLOYMENT INSURANCE			4,782
5216	1070	WORKERS COMP INSURANCE			51,733
5216	5011	REIMBURSEMENT - GOV/GOV			43,168

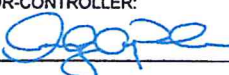
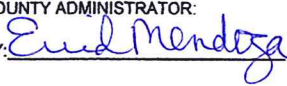

CONTRA COSTA COUNTY APPROPRIATION ADJUSTMENT  T/C 27			AUDITOR-CONTROLLER USE ONLY FINAL APPROVAL NEEDED BY:				
			<input checked="" type="checkbox"/>	BOARD OF SUPERVISORS			
			<input checked="" type="checkbox"/>	COUNTY ADMINISTRATOR			
			<input checked="" type="checkbox"/>	AUDITOR CONTROLLER			
ACCOUNT CODING		DEPARTMENT : DEPT. 0501, 0502, 0503, 0504, 0581 and 0586					
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>			INCREASE	
D							
	5330 1011	PERMANENT SALARIES					363,062
	5311 1013	TEMPORARY SALARIES		56,004			
	5314 1013	TEMPORARY SALARIES		41,400			
	5330 1013	TEMPORARY SALARIES		450,000			
	5330 1015	DEFERRED COMP					12,600
	5330 1042	FICA/MEDICARE					17,536
	5330 1044	RETIREMENT EXPENSE					120,537
	5330 1060	EMPLOYEE GROUP INSURANCE					94,668
	5330 1063	UNEMPLOYMENT INSURANCE					980
	5330 1070	WORKERS COMP INSURANCE					10,605
	5123 2310	PROFESSIONAL SERVICES		72,584			
	5330 5022	INTRAFUND-TRANS-SERVICES		169,988			
	5123 5022	INTRAFUND-TRANS-SERVICES					72,584
	5311 5022	INTRAFUND-TRANS-SERVICES					56,004
	5314 5022	INTRAFUND-TRANS-SERVICES					41,400
E							
	5311 1011	PERMANENT SALARIES					557,841
	5311 1015	DEFERRED COMP					16,200
	5311 1042	FICA/MEDICARE					26,944
	5311 1044	RETIREMENT EXPENSE					185,203
	5311 1060	EMPLOYEE GROUP INSURANCE					121,716
	5311 1063	UNEMPLOYMENT INSURANCE					1,506
	5311 1070	WORKERS COMP INSURANCE					16,295
G							
	5309 1011	PERMANENT SALARIES					146,173
	5309 1015	DEFERRED COMP					3,600
	5309 1042	FICA/MEDICARE					7,060
	5309 1044	RETIREMENT EXPENSE					48,530
	5309 1060	EMPLOYEE GROUP INSURANCE					27,048
	5309 1063	UNEMPLOYMENT INSURANCE					395
	5309 1070	WORKERS COMP INSURANCE					4,270
	5123 2310	PROFESSIONAL SERVICES		237,076			
	5123 5022	INTRAFUND-TRANS-SERVICES					237,076
	5309 5022	INTRAFUND-TRANS-SERVICES		237,076			
I							
	5561 5011	LABOR RECEIVED/PROVIDED					211,520
I							
	0586 1011	PERMANENT SALARIES					159,038
	0586 1015	DEFERRED COMP					3,024
	0586 1042	FICA/MEDICARE					7,682



CONTRA COSTA COUNTY APPROPRIATION ADJUSTMENT T/C 27			AUDITOR-CONTROLLER USE ONLY FINAL APPROVAL NEEDED BY:			
			<input checked="" type="checkbox"/> BOARD OF SUPERVISORS <input checked="" type="checkbox"/> COUNTY ADMINISTRATOR <input checked="" type="checkbox"/> AUDITOR CONTROLLER			
ACCOUNT CODING		DEPARTMENT : DEPT. 0501, 0502, 0503, 0504, 0581 and 0586				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
0586	1044	RETIREMENT EXPENSE			52,801	
0586	1060	EMPLOYEE GROUP INSURANCE			27,048	
0586	1063	UNEMPLOYMENT INSURANCE			429	
0586	1070	WORKERS COMP INSURANCE			4,646	
TOTALS				3,917,861		8,237,134
APPROVED  AUDITOR-CONTROLLER: BY:  DATE <u>9/7/16</u>  COUNTY ADMINISTRATOR: BY:  DATE <u>9/14/16</u>  BOARD OF SUPERVISORS:  YES:  NO:  BY: _____ DATE _____			EXPLANATION OF REQUEST  To adjust appropriated expenditures in FY 16/17 for new positions in the Employment and Human Services Department. This adjustment will accurately reflect where the salaries and benefits will be charged. There is no increase to the total budget and no increase to County General Fund.  <div style="text-align: center;">               Emilia Gabriele      ENS, Chief Financial Officer      8/30/2016              SIGNATURE      TITLE      m           </div> <div style="text-align: right;">             APPROPRIATION      APOO <u>5006</u>              ADJ. JOURNAL NO.           </div>			

CONTRA COSTA COUNTY ESTIMATED REVENUE ADJUSTMENT/ ALLOCATION ADJUSTMENT <b>T/C 24</b>			AUDITOR-CONTROLLER USE ONLY FINAL APPROVAL NEEDED BY:		
			<input checked="" type="checkbox"/> BOARD OF SUPERVISORS <input checked="" type="checkbox"/> COUNTY ADMINISTRATOR <input checked="" type="checkbox"/> AUDITOR-CONTROLLER		
ACCOUNT CODING		DEPARTMENT : DEPT. 0502, 0503, 0581 and 0586			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>	
C	5216	ADMIN FEDERAL-OTHER	1,229,500		
	5216	REIMBURSEMENTS-GOV/GOV	1,697,880		
E	5311	ADMIN FEDERAL-OTHER	407,310		
	5311	REIMBURSEMENTS-GOV/GOV	518,395		
I	5561	FED AID CRIME CONTROL	211,520		
I	0586	REIMBURSEMENTS - GOV/GOV	254,668		
TOTALS			4,319,273	00	0 00

<p style="text-align: center;"><b>APPROVED</b></p> <p>AUDITOR-CONTROLLER:          BY: <u></u> DATE <u>9/2/16</u></p> <p>COUNTY ADMINISTRATOR:          BY: <u></u> DATE <u>9/14/16</u></p> <p>BOARD OF SUPERVISORS:</p> <p>YES:</p> <p>NO:</p> <p>BY: _____ DATE _____</p>	<p>EXPLANATION OF REQUEST:</p> <p>To adjust appropriated revenues in FY 16/17 for new positions in the Employment and Human Services Department. This adjustment will accurately reflect where the salaries and benefits will be charged. There is no increase to the total budget and no increase to County General Fund.</p> <div style="text-align: center; margin-top: 50px;">  </div> <table style="width: 100%; border: none;"> <tr> <td style="border: none;">Emilia Gabriele</td> <td style="border: none;">EHS, Chief Financial Officer</td> <td style="border: none;">8/30/2016</td> </tr> <tr> <td style="border: none; text-align: center;">SIGNATURE</td> <td style="border: none; text-align: center;">TITLE</td> <td style="border: none; text-align: center;">DATE</td> </tr> </table> <table style="width: 100%; border: none; margin-top: 10px;"> <tr> <td style="border: none;">REVENUE ADJ.</td> <td style="border: none;">RAOO <u>5006</u></td> </tr> <tr> <td colspan="2" style="border: none;">JOURNAL NO.</td> </tr> </table>	Emilia Gabriele	EHS, Chief Financial Officer	8/30/2016	SIGNATURE	TITLE	DATE	REVENUE ADJ.	RAOO <u>5006</u>	JOURNAL NO.	
Emilia Gabriele	EHS, Chief Financial Officer	8/30/2016									
SIGNATURE	TITLE	DATE									
REVENUE ADJ.	RAOO <u>5006</u>										
JOURNAL NO.											



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: September 27, 2016

Subject: Appropriations Adjustment - Office of the Sheriff RAD Kids program

---

**RECOMMENDATION(S):**

APPROVE Appropriations and Revenue Adjustment No. 5010 authorizing new revenue in the amount of \$15,000 from County Service Area P-6 Discovery Bay Zone funding and appropriate it for the Resisting Aggression Defensively Kids (radKIDS) program implemented by the Sheriff's Office - Investigation Unit.

**FISCAL IMPACT:**

This action increases revenues and appropriations by \$15,000.

**BACKGROUND:**

In 1989, the Board of Supervisors adopted a Resolution establishing County Service Area P-6 Zones and authorizing a special tax on new developments in East County (Oakley and West Pittsburg/Bay Point). In 1992, the Board extended the special tax program to all unincorporated areas of the County. The Board Resolutions specified that *"(T)he Revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenses as are deemed necessary."*

Unlike CSA P-6 tax, which is

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 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)

imposed upon property owners, property owners vote to levy the special tax on their property. The vote, however, is taken at the time building permits/zoning approval is sought, which means that normally the only property owner is the developer.

Also unlike CSA P-6 tax, which is based on property value, CSA P-6 Zones are taxed on parcel use (i.e. base tax for vacant site is \$100; for single residential is \$200; for multiple residential is \$400-\$600). Each year, the tax increases by the Bay Area Consumer Price Index. Use of this funding is at the discretion of the Sheriff. This funding has not been routinely used for a specific purpose, but used as needed for primarily one-time cost items.

### CONSEQUENCE OF NEGATIVE ACTION:

Funding will not be appropriated to implement the radKIDS program.

### CHILDREN'S IMPACT STATEMENT:

The Sheriff's Office is implementing the RAD kids program, which will cover a wide range of subjects for children ages 5-12; these subjects include:

- Safety at home, at play and at school
- Bicycle and traffic safety
- Planning for emergencies such as fire and natural disasters
- Response to bullying
- Internet safety
- Avoiding adult predators
- Physical skills to avoid physical control or harm

### ATTACHMENTS

Appropriations and Revenue Adjustment No. 5010

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

ACCOUNT CODING		BUDGET UNIT: (0255) Office of the Sheriff			AUDITOR-CONTROLLER	
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>	
2535	9951	REIMBURSEMENTS - GOV/GOV	15,000	00		
TOTALS			15,000	00	0	00

APPROVED

AUDITOR-CONTROLLER:

BY: [Signature] DATE 9/12/16

COUNTY ADMINISTRATOR:

BY: [Signature] DATE 9/12/16

BOARD OF SUPERVISORS:

YES:

NO:

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

EXPLANATION OF REQUEST

To appropriate new revenue for the RAD program (2535).

[Signature]

SIGNATURE

Fiscal Officer

TITLE

9/7/2016

DATE

REVENUE ADJ.  
JOURNAL NO.

RAOO

5010

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:



BOARD OF SUPERVISORS



COUNTY ADMINISTRATOR

ACCOUNT CODING		AUDITOR-CONTROLLER			
		BUDGET UNIT: (0255) Office of the Sheriff			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
2535	2479	OTHER SPECIAL DPMTAL EXP			15,000 00
7629	5011	REIMBURSEMENTS-GOV/GOV	15,000	00	
7629	2479	OTHER SPECIAL DPMTAL EXP			15,000 00
TOTALS			15,000	00	30,000 00

APPROVED

AUDITOR-CONTROLLER:

BY: [Signature] DATE 9/12/16

COUNTY ADMINISTRATOR:

BY: [Signature] DATE 9/19/16

BOARD OF SUPERVISORS:

YES:

NO:

EXPLANATION OF REQUEST

To appropriate new revenue for RAD Kids program (2535)

[Signature]

SIGNATURE TITLE

DATE

APPROPRIATION

APOO

5010

ADJ. JOURNAL NO.

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Beth Ward, Animal Services Director  
Date: September 27, 2016

Subject: Add four Animal Center Technician positions, cancel three Animal Services Utility Worker and cancel one Special Services Worker II position

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21909 to add four (4) Animal Center Technician (BJWC) (represented) positions at salary plan and grade QA5 1041 (\$3,120-\$3,792), cancel three (3) Animal Services Utility Worker (BJWE) (represented) vacant positions 12298, 15919, and 15920 at salary plan and grade QA5 0840 (\$2,557-\$3,108); and one (1) Special Services Worker II (999G) (represented) vacant position 11034 at salary plan and grade TB5 0791 (\$2,533-\$3,079) in the Animal Services Department.

**FISCAL IMPACT:**

Upon approval, the cost of this action will be \$47,024 for fiscal year 2016/17. These positions will be funded by 32% User Fees, 31% City Revenue, 37% County General Fund. These funds will continue to support these positions in FY 2017/18. This transaction will include \$11,895 additional pension expense.

**BACKGROUND:**

The demand for the Animal Services Department's shelter services has increased significantly since the beginning of 2016. Due to the rise in demand, the volume of work performed by the Animal Center Technicians has increased. Animal Center Technicians handle the intake

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Arturo Castillo (925)  
335-8370

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

By: , Deputy

cc: Arturo Castillo

BACKGROUND: (CONT'D)

of animals within the shelter, along with their assessment, vaccinations and other essential tasks to provide necessary care thereafter. In April 2016, the Animal Services Department enhanced its shelter sanitation system to increase its cleaning efficiency and therefore decrease sanitation demands. This in turn has resulted in a decrease in the volume of work performed by Animal Services Utility Workers, who are tasked with the majority of the sanitation duties within the shelters. Canceling Animal Services Utility Worker positions and adding additional Animal Center Technician positions will provide the Department sufficient staffing to maximize the quality of care services for our sheltered animals.

CONSEQUENCE OF NEGATIVE ACTION:

The volume of work performed by the Animal Center Technicians has increase significantly due to the demand in shelter services. If the number of Animal Center Technicians is not increased the necessary care of sheltered animals may decline and the prevalence of infectious deceases may increase because of insufficient staffing levels.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

P300 No. 21909 ASD

# POSITION ADJUSTMENT REQUEST

NO. 21909  
DATE 8/23/2016

Department Animal Services

Department No./  
Budget Unit No. 0366 Org No. 3340 Agency No. 36

Action Requested: ADOPT Position Adjustment Resolution No. 21909 to add four Animal Center Technician (represented) positions, cancel three Animal Services Utility Worker (represented) vacant positions and cancel one Special Services Worker II (represented) vacant position in the Animal Services Department.

Proposed Effective Date: 8/15/2016

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 \$56,429.00

Net County Cost \$20,879.00

Total this FY \$47,024.00

N.C.C. this FY \$17,400.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 32% User Fees, 31% City Revenues, 37% County

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Arturo Castillo

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kevin J. Corrigan

8/23/2016

Deputy County Administrator

Date

## HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 9/8/2016

Add four (4) Animal Center Technician (BJWC) (represented) positions at salary plan and grade QA5 1041 (\$3,120-\$3,792), cancel three (3) Animal Services Utility Worker (BJWE) (represented) vacant positions 12298, 15919, and 15920 at salary plan and grade QA5 0840 (\$2,557-\$3,108); and cancel one (1) Special Services Worker II (999G) (represented) vacant position 11034 at salary plan and grade TB5 0791 (\$2,533-\$3,079)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_\_(Date)

Lauren Ludwig

9/8/2016

(for) Director of Human Resources

Date

## COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

9/20/2016

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

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 9/20/2016

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: September 27, 2016

Subject: Add nine (9) permanent positions and cancel nine (9) permanent vacant positions in the Health Services Department

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**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21960 to:

1. Add the following nine (9) positions in the Health Services Department:

- Four (4) 40/40 – Health Services Systems Analyst II (LBVC) at salary level ZB5-1784 (\$6,771-\$9,074);
- Two (2) 40/40 – Health Services Information Technology Manager (LBFA) at salary level ZB5-2093 (\$9,195 - \$11,177);
- One (1) 40/40 – Clerk-Experienced Level (JWXB) at salary level 3RH-0750 (\$2,905 - \$3,605);
- One (1) 40/40 -Assistant Health Services Information Technology Director – Customer Support - EXEMPT (LBD2) at salary level B85-2212 (\$10,349 - \$12,579);
- One (1) 40/40 – Information System Specialist III (LTTA) at salary level QS5-1496 (\$5,323 - \$6,470); and

2. Cancel the following nine (9) vacant positions in the Health Services Department:

- Three (3) 40/40 – Health Services Information Systems Specialist (LBTB), positions #9563, #10156, #11171 at salary level B85-1613 (\$5,323 - \$7,134);
- 

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Jacqueline Kidd, (925)  
957-5261

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

By: , Deputy

cc:

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

One (1) 40/40 – Health Services Systems Specialist I (LBTD), position #13861 at salary level ZB5-1541(\$3,957 - \$4,822);

- One (1) 40/40 – Health Services Systems Analyst III (LTWA), position #14279 at salary level ZB5-1834 (\$7,115 - \$9,535);
- One (1) 40/40 – Information Systems Assistant II (LTVH), position # 7996 at salary level 3R5-1005 (\$3,131 - \$3,806);
- One (1) 40/40 -Storeroom Clerk (91WC), position # 14055 at salary level QS5-0916 (\$2,867 – \$3,485);
- One (1) 40/40 – Assistant Health Services System Director – Network Operations (LBGD), position #7118 at salary level ZA5-1932 (\$7,840 - \$10,506);
- One (1) 40/40 – Health Services Information Systems Programmer/Analyst (LBTC), position #12841 at salary level ZB5-1787 (\$6,791 - \$9,101).

#### FISCAL IMPACT:

Upon approval, this action has an annual cost of approximately \$78,342 with estimated pension costs of \$27,811. The cost will be entirely offset with Hospital Enterprise Fund I revenues.

#### BACKGROUND:

The Health Services Information Technology Division is requesting to add nine (9) permanent full-time positions necessary to provide a more effective and efficient systems support in relations to the growth and development of ccLink Health Information Systems – one (1) Assistant Health Services Information Technology Director-Customer Support (Exempt) to direct and monitor the growth of ccLink and other clinical applications; four (4) Health Services Systems Analyst II positions to continue servicing ccLink according to the post-live staffing models; two (2) Health Services Information Technology Managers to manage the growth responsibility focused on ccLink applications; one (1) Information Systems Specialist III to support the state of the art Electronic Health Record utilized throughout Health Services; and one (1) Clerk-Experienced Level to provide clerical support to the unit managers.

The Department is canceling nine (9) vacant positions as they are no longer meeting the operational needs of the expanded ccLink health information systems.

#### CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Information Technology Division of the Health Services Department will not have adequate staffing to meet the demand and volume of patient care information for those we serve.

#### CHILDREN'S IMPACT STATEMENT:

Not applicable.

#### ATTACHMENTS

P300 No. 21960 HSD

P300 No. 21960 Attachment 1

# POSITION ADJUSTMENT REQUEST

NO. 21960  
DATE 8/15/2016

Department Health Services

Department No./

Budget Unit No. 0450 Org No. 6555 Agency No. A18

Action Requested: Add and cancel various positions in the Health Services Department. (See Attachment 1)

Proposed Effective Date: 9/28/2016

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 \$78,342.00

Net County Cost \$0.00

Total this FY \$58,756.50

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Hospital Enterprise Fund I revenue

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

Jacqueline Kidd

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Enid Mendoza

9/21/2016

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

9/21/2016

☐ 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:

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 9/21/2016

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

**POSITION ADJUSTMENT RESOLUTION NO. 21960 - ATTACHMENT 1**  
**HEALTH SERVICES DEPARTMENT – ADD/CANCEL VARIOUS POSITIONS**

**ADD (9)**

- Four (4) 40/40 – Health Services Systems Analyst II (LBVC)
- Two (2) 40/40 – Health Services Information Technology Manager (LBFA)
- One (1) 40/40 – Clerk-Experienced Level (JWXB)
- One (1) 40/40 - Assistant Health Services Information Technology Director – Customer Support - EXEMPT (LBD2)
- One (1) 40/40 – Information System Specialist III (LTТА)

**CANCEL (9)**

- Three (3) 40/40 – Health Services Information Systems Specialist (LBTB), positions #9563, #10156, #11171
- One (1) 40/40 – Health Services Systems Specialist I (LBTD), position #13861
- One (1) 40/40 – Health Services Systems Analyst III (LTWA), position #14279
- One (1) 40/40 – Information Systems Assistant II (LTVH), position # 7996
- One (1) 40/40 - Storeroom Clerk (91WC), position # 14055
- One (1) 40/40 – Assistant Health Services System Director – Network Operations (LBGD), position #7118
- One (1) 40/40 – Health Services Information Systems Programmer/Analyst (LBTC), position #12841



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: September 27, 2016

Subject: Add 19 Social Worker III, 14 Social Casework Assistant, and 2 Children's Services Clerical Specialist in CFS EHSD

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**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21928 to add nineteen (19) Social Worker III (XOVB) (represented) full time positions at Salary Plan and Grade 255 1618 (\$5,524-\$6,714) in the Employment and Human Services Department, Children and Families Services Bureau.

ADOPT Position Adjustment Resolution No. 21929 to add fourteen (14) Social Casework Assistant (XDVB) (represented) full time positions at Salary Plan and Grade 255 1434 (\$4,604 - \$5,596) in the Employment and Human Services Department, Children and Families Services Bureau.

ADOPT Position Adjustment Resolution No. 21930 to add two (2) Children's Services Clerical Specialists (J9SC) (represented) full time positions at Salary Plan and Grade 3R5 1092 (\$3,412 - \$4,802) in the Employment and Human Services Department, Children and Families Services Bureau.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Holly Trieu (925)  
313-1560

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

By: , Deputy

cc: Holly Trieu

### FISCAL IMPACT:

Approval of Position Adjustment Resolution No. 21928 will have an annual cost of approximately \$2,252,222. The positions are funded 42% Federal revenue and 58% State revenue. The estimated annual pension costs are \$461,035.

Approval of Position Adjustment Resolution No. 21928 will have an annual cost of approximately \$1,418,858. The positions are funded 42% Federal revenue and 58% State revenue. The estimated annual pension costs are \$283,136.

Approval of Position Adjustment Resolution No. 21930 will have an annual cost of approximately \$158,182. The positions are funded 42% Federal revenue and 48% State revenue, and 10% County fund. The estimated annual pension costs are \$29,982.

### BACKGROUND:

The Continuum of Care Reform (CCR) passed by the State Legislature in 2015 is a major initiative with a significant workload impact. In order to comply with the mandates of this legislation, we will need to build an infrastructure for a robust service delivery model which includes children and family team meetings to reduce congregate care, recruitment and family finding program in order to place children in family setting and small family home setting.

To meet this new state initiative and improve business practices, the Children & Family Services Bureau (CFS) plans to add nineteen (19) Social Worker III positions. This increase in critical staff positions ensures our most vulnerable children and families are served safely and efficiently. In addition, it is essential to create and maintain the highest possible resources for service delivery to families.

CFS also plans to add fourteen (14) Social Casework Assistant positions in order to perform services such as visitation supervision, parent training, home visits, and transportation; all of which are mandated services for Child Welfare to provide in order to meet the "reasonable efforts" findings in court hearings. These services are necessary to ensure the agency meets our legal obligation to assist families in meeting the needs of their children to return home or to remain home safely. Social Casework Assistants will perform these functions for the agency allowing social workers to focus on family service delivery and risk assessment.

Two (2) Children's Services Clerical Specialist positions are being added to cover the entire Children & Family Services Bureau county-wide and are assigned in each of the operational offices with some current positions "floating" to other offices when the demands become exceptionally high in one office. The placement trend has continued to increase with more children entering care and moving from one placement to another. The Children's Services Clerical Specialist position prepares, collects, reviews and processes a variety of specialized children's services forms and documents from the social work staff for foster care payment processing required by eligibility, ensures all records are processed in a timely manner to meet State and Federal mandated time-frames and functions as a liaison between social work staff placing children and eligibility staff providing payments to caregivers.

### CONSEQUENCE OF NEGATIVE ACTION:

The creation of the listed position are essential to comply with the Continuum of Care Reforms. If the positions are not create the County may be unable to provide necessary services to return to their families and provide the familes needed support services. This would result with the County at risk of not being in compliance with Federal mandates of state Title IV-B and IV-E program requirements.

### CHILDREN'S IMPACT STATEMENT:

The recommendation supports the following children's outcomes: Families that are Safe, Stable and nuturing.



## ATTACHMENTS

P300 No. 21928 EHSD

P300 No. 21929 EHSD

P300 No. 21930 EHSD

# POSITION ADJUSTMENT REQUEST

NO. 21928  
DATE 8/31/2016

Department Employment and Human Services

Department No./

Budget Unit No. 0502 Org No. 5216 Agency No. A19

Action Requested: Add 19 Social Worker III (XOVB) represented positions in Children & Family Services at EHSD (AR 37558)

Proposed Effective Date: 9/20/2016

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

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

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

Total annual cost \$2,252,222.00

Net County Cost \$0.00

Total this FY \$1,689,167.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Federal 42%, State 58%

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Holly Trieu 3-1560

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kevin J. Corrigan

9/6/2016

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 9/8/2016

Add nineteen (19) Social Worker III (XOVB) (represented) full time positions at Salary Plan and Grade 255 1618 (\$5,524-\$6,714)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_\_(Date)

Gladys Scott Reid

9/8/2016

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

9/21/2016

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

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 9/21/2016

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

# POSITION ADJUSTMENT REQUEST

NO. 21929  
DATE 8/31/2016

Department Employment and Human Service

Department No./

Budget Unit No. 0502 Org No. 5216 Agency No. A19

Action Requested: Add 14 Social Casework Assistant (XDVB) represented positions in Children & Family Services at EHSD (AR37559)

Proposed Effective Date: 9/20/2016

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

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

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

Total annual cost \$1,418,858.00

Net County Cost \$0.00

Total this FY \$1,064,144.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Federal 42%, State 58%

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Holly Trieu 3-1560

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kevin J. Corrigan

9/6/2016

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 9/8/2016

Add fourteen (14) Social Casework Assistant (XDVB) (represented) full time positions at Salary Plan and Grade 255 1434 (\$4,604 - \$5,596)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_\_(Date)

Gladys Scott Reid

9/8/2016

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

9/21/2016

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

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 9/21/2016

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

# POSITION ADJUSTMENT REQUEST

NO. 21930  
DATE 8/31/2016

Department Employment and Human Services

Department No./

Budget Unit No. 0502 Org No. 5220 Agency No. A19

Action Requested: Add 2 Children's Services Clerical Specialist (J9SC) represented positions in Children & Family Services at EHSD (AR38541)

Proposed Effective Date: 9/20/2016

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

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

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

Total annual cost \$158,182.00

Net County Cost \$15,818.00

Total this FY \$118,637.00

N.C.C. this FY \$11,864.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Federal 42%, State 48%, County 10%

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Holly Trieu 3-1560

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kevin J. Corrigan

9/6/16

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 9/8/2016

Add two (2) Children's Services Clerical Specialists (J9SC) (represented) full time positions at Salary Plan and Grade 3R5 1092 (\$3,412 - \$4,802)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_\_(Date)

Gladys Scott Reid

9/8/2016

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 9/21/2016

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

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 9/21/2016

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: Kathy Gallagher, Employment & Human Services Director  
Date: September 27, 2016

Subject: Add one EHS Division Manager-Project and one Administrative Assisant II-Project position in EHSD

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21936 to add one (1) Employment and Human Services Division Manager-Project (XAD1) (represented) full time position at Salary Plan and Grade Z12 1841 (\$7,381-\$9,449) in the Employment and Human Services Department's Zero Tolerance for Domestic Violence Initiative Unit.

ADOPT Position Adjustment Resolution No. 21937 to add one (1) Administrative Services Assistant II Project (APV2) (represented) full time position at Salary Plan and Grade Z25 1475 (\$4,986-\$6,061) in the Employment and Human Services Department's Zero Tolerance for Domestic Violence Initiative Unit.

**FISCAL IMPACT:**

Funding for both positions is accounted for in Appropriation and Revenue Adjustment No. 5006. Upon approval Position Adjustment Resolution No. 21936, will have an annual cost of \$146,749. This project position will be funded 100% Federal revenue. The annual pension cost is \$30,897.

Upon approval of Position Adjustment Resolution No. 21937, will have

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Holly Trieu (925)  
313-1560

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

By: , Deputy

cc: Holly Trieu

#### FISCAL IMPACT: (CONT'D)

an annual cost of \$107,919. This project position will be funded 60% Federal revenue, 40% State revenue. The annual pension cost is \$21,904.

#### BACKGROUND:

Employment and Human Services Department is a participant in an innovative multi-sector partnership devoted to advancing optimal outcomes for youth at the highest risk of involvement or already involved in the juvenile justice system in Contra Costa County. The overall management of the Youth Justice Initiative (YJI) /Justice Assistance Grant (JAG) is with Employment and Human Services Department. Specifically the YJI will serve as a hub for coordination, capacity building and dissemination of best and promising practices and initially test two pilot programs: 1) a school-wide prevention and intervention effort for some of the County's highest-risk students, beginning with a pilot middle school in the Antioch School District. 2) Comprehensive post-disposition advocacy, reentry, and aftercare services to improve outcomes and reduce recidivism for juvenile probationers throughout the County. The Department has determined in order to maintain staffing continuity that an EHS Division Manager- Project is needed. The EHS Division Manager-Project will implement, organize, direct and coordinate the activities of the YJI including developing policy, identifying best practices, leveraging local and national resources and testing a minimum of two evidence based approaches in collaboration with multiple public and private agencies.

The Domestic Violence Division in the Employment and Human Service Department is responsible for the management of federal grants from the Office of Victims of Crime and Commercially & Sexually Exploited Children (SCEC). The Department is requesting to convert the contract to one full time Administrative Services Assistant II Project position. The position will coordinate and develop a system of care for human trafficking (HT) victims. The position will oversee deliverables for a federal grant, provide implementation consultation to Children and Family Services on new Human Trafficking mandates and develop critical policies in this area of human exploitation. The position is also needed to sustain consistent staff to meet the demands of the funders and mandates.

#### CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, deliverables required by the funding sources will not be completed and the department will not have the appropriate staff to oversee and manage the Federal Grant programs.

#### CHILDREN'S IMPACT STATEMENT:

These positions will provide the Department with the staff to provide at risk youth and youth involved in the juvenile justice system with services to reduce rates of youth-related violence. These services are critical to support (1) Children Ready for and Succeeding in School; Children and Youth Healthy and Preparing for Productive Adulthood; and (5) communities that are Safe and provide a High Quality of Life for Children and Families.

#### ATTACHMENTS

P300 No. 21936 EHSD

P300 No. 21937 EHSD

# POSITION ADJUSTMENT REQUEST

NO. 21936  
DATE 8/31/2016

Department Employment and Human Services Department No./  
Budget Unit No. 0586 Org No. 0586 Agency No. A19  
Action Requested: Add one Employment and Human Services Division Manager-Project (XAD1) represented position in the  
Employment and Human Services Department's Zero Tolerance for Domestic Violence Initiative Unit (AR36676).

Proposed Effective Date: 9/20/2016

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

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

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

Total annual cost \$146,749.00

Net County Cost \$0.00

Total this FY \$110,062.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Federal

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Holly Trieu 3-1560

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kevin J. Corrigan

9/7/2016

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 9/15/2016

Add one (1) Employment and Human Services Division Manager-Project (XAD1) (represented) full time position at Salary  
Plan and Grade Z12 1841 (\$7,381-\$9,449)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_ (Date)

Gladys Scott Reid

9/15/2016

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

9/21/2016

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

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 9/21/2016

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

# POSITION ADJUSTMENT REQUEST

NO. 21937  
DATE 8/31/2016

Department Employment and Human Services Department No./  
Budget Unit No. 0586 Org No. 0586 Agency No. A19  
Action Requested: Add one Administrative Services Assistant II-Project (APV2) represented position in the Employment and Human Services Department's Zero Tolerance for Domestic Violence Initiative Unit (AR36677).

Proposed Effective Date: 9/20/2016

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

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

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

Total annual cost \$107,919.00

Net County Cost \$0.00

Total this FY \$80,939.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 60% Federal, 40% State

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Holly Trieu 3-1560

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kevin J. Corrigan

9/7/2016

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 9/15/2016

Add one (1) Administrative Services Assistant II Project (APV2) (represented) full time position at Salary Plan and Grade Z25 1475 (\$4,986-\$6,061)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_\_(Date)

Gladys Scott Reid

9/15/2016

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

9/21/2016

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

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 9/21/2016

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: September 27, 2016

Subject: Add two (2) full-time positions in the Health Services Department

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**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21962 to add two (2) full-time Clerk - Experienced Level (JWXB) positions at salary level and grade 3RH 0750 (\$2,905 - \$3,605) in the Health Services Department. (Represented)

**FISCAL IMPACT:**

Upon approval, this action has an annual cost of approximately \$155,507 with \$30,718 in estimated pension costs. The cost will be fully funded by Health Care Premiums.

**BACKGROUND:**

The Health Services Department is requesting to add two full-time Clerk - Experienced Level (JWXB) positions for the Contra Costa Health Plan. The department needs immediate support staff to cover provider and public phone lines, review and research claim status, and manually enter medical claims in addition to handling provider research, manually handle claim disputes, and answer tracer sheets.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this action is not approved, the department will be unable to pay claims

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

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

Contact:  
925-957-5240

By: , Deputy

cc:



CONSEQUENCE OF NEGATIVE ACTION: (CONT'D)

in a timely manner for network providers and the amount of interest will rise higher than the combined salary of two clerks. No adequate time and support can be provided to network providers calling in to check on claims due to not having enough staff on the team.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

P300 No. 21962 HSD

# POSITION ADJUSTMENT REQUEST

NO. 21962  
DATE 8/30/2016

Department Health Services/CCHP

Department No./

Budget Unit No. 0540 Org No. 6569 Agency No. A18

Action Requested: Add two (2) full-time Clerk - Experienced Level (JWXB) positions in the Health Services Department.

Proposed Effective Date: 9/28/2016

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 \$155,507.02

Net County Cost \$0.00

Total this FY \$116,630.26

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Health Care Premiums

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

Abigail O'Connor

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Enid Mendoza

9/21/2016

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 9/21/2016

☐ 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:

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 9/21/2016

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.
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: Kathy Gallagher, Employment & Human Services Director  
Date: September 27, 2016

Subject: Add three Social Workers, one Clerk-Experienced Level, One Account Clerk-Experienced Level in Aging & Adult Services

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**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21939 to add three (3) Social Worker (XOVC) (represented) full time positions at Salary Plan and Grade 255 1434 (\$4,604-\$5,596) in the Employment and Human Services Department, Aging and Adult Services Bureau's Home Support Services Division.

ADOPT Position Adjustment Resolution No. 21942 to add one (1) Clerk – Experienced Level (JWXB) (represented) full time position at Salary Plan and Grade 3RH 0750 (\$2,905-\$3,605) and one (1) Account Clerk Experienced Level (JDVC) (represented) full time position at Salary and Grade 3RH 0755 (\$3,192-\$3,958) in the Employment and Human Services Department, Aging and Adult Services Bureau's Home Support Services Division.

**FISCAL IMPACT:**

Funding for both positions is accounted for in Appropriation and Revenue Adjustment No. 5006. Upon approval of Position Adjustment Resolution No. 21939 there is an annual cost of \$304,045. These positions are funded with 56% Federal and 44% State revenue. The annual pension

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Holly Trieu (925)  
313-1560

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

By: , Deputy

cc: Holly Trieu

#### FISCAL IMPACT: (CONT'D)

cost is approximately \$60,672.

Upon approval of Position Adjustment Resolution No. 21942 there is an annual cost of \$144,599. These positions are funded with 45% Federal, 41% State revenue and 14% County fund. The annual pension cost is approximately \$26,789.

#### BACKGROUND:

Effective January 1, 2016 the California Department of Social Services mandates the implementation of the Federal Labor Standards Act (FLSA) per Senate Bills 855 and 873. There are over 8,604 IHSS clients who qualify for in home care and their providers are paid through IHSS and the Public Authority. The mandate requires the In Home Supportive Services (IHSS) Division to administer new functions including overtime monitoring and travel time for providers, scheduling of multiple providers for a single client, appeals processes, management of violations, and emergency back-up for providers. Currently the FLSA guidelines require several levels of activity involving Social Workers and Account Clerks in IHSS Payroll.

The Employment and Human Services Department created a staff unit in April 2016 to administer the new regulations; however, additional staff is needed. The Social Workers are required to approve overtime requests, travel time and wait time based on the clients authorized services – these are new duties for Social Workers and cannot be absorbed into their existing caseloads. The newly hired Social Workers will be assigned the full range of IHSS duties in order to provide caseload relief and allow all Social Workers to manage the FLSA-driven changes on their caseloads. The Account Clerk is needed to administer payroll to over 8,000 providers, sort and open mail, collect mailers, and input data into CMIPS II, including new enrollment documents and schedules. The Clerk – Experienced Level will provide clerical support to the unit.

#### CONSEQUENCE OF NEGATIVE ACTION:

If these positions are not approved the In Home Supportive Services and Public Authority will be out of compliance with the California Department of Social Services (CDSS) instructions on Senate Bill 855 and Senate Bill 873 which will govern the implementation of the Federal Labor Standards Act (FLSA) rules. Delays in processing forms would delay the payment to providers for services rendered, thus placing the recipients' care in jeopardy. Non-compliance with CDSS regulations may place the County at risk for sanctions and other corrective action by the state.

#### CHILDREN'S IMPACT STATEMENT:

No impact.

#### ATTACHMENTS

P300 No. 21939 EHSD

P300 No. 21942 EHSD

# POSITION ADJUSTMENT REQUEST

NO. 21939  
DATE 8/29/2016

Department Employment and Human Services Department No./  
Budget Unit No. 0503 Org No. 5311 Agency No. A19  
Action Requested: Add 3 Social Workers (XOVC) represented positions in the Aging and Adult Services Bureau (AR 39830)

Proposed Effective Date: 9/13/2016

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 \$304,045.00 Net County Cost \$0.00

Total this FY \$228,034.00 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 56% Federal, 44% State funding

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Holly Trieu 3-1560

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kevin J. Corrigan

9/7/2016

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 9/15/2016

Add three (3) Social Worker (XOVC) (represented) full time positions at Salary Plan and Grade 255 1434 (\$4,604-\$5,596)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_ (Date)

Gladys Scott Reid

9/15/2016

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

9/21/2016

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

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 9/21/2016

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



# POSITION ADJUSTMENT REQUEST

NO. 21942  
DATE 8/29/2016

Department Employment and Human Services

Department No./

Budget Unit No. 0503 Org No. 5311 Agency No. A19

Action Requested: Add 1 Clerk-Experienced Level (JWXB) represented and one Account Clerk-Experience Level (JDVC) represented positions in the Aging and Adult Services Bureau (AR36501 and AR36236)

Proposed Effective Date: 9/20/2016

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

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

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

Total annual cost \$144,599.00

Net County Cost \$20,244.00

Total this FY \$108,449.00

N.C.C. this FY \$15,183.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 45% Federal, 41% State, 14% County

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Holly Trieu 3-1560

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kevin J. Corrigan

9/8/2016

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 9/15/2016

Add one (1) Clerk – Experienced Level (JWXB) (represented) full time position at Salary Plan and Grade 3RH 0750 (\$2,905-\$3,605) and one (1) Account Clerk Experienced Level (JDVC) (represented) full time position at Salary and Grade 3RH 0755 (\$3,192-\$3,958)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_\_(Date)

Gladys Scott Reid

9/15/2016

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

9/21/2016

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

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 9/21/2016

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: September 27, 2016

Subject: Add one (1) full time position and cancel one (1) full-time position in the Health Services Department.

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**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21963 to add one (1) Pre-Hospital Care Coordinator position (VBSG) at salary level ZB5-1766 (\$8,049-\$8,972) and cancel one vacant Emergency Medical Services Program Coordinator (VBHB) position #16353 at salary level ZB5-1824 (\$7,045-8,563) in the Health Services Department. (Represented).

**FISCAL IMPACT:**

Upon approval, this action has an annual cost of approximately \$7,209, which includes \$1,741 in estimated pension costs. The cost will be funded by Measure H monies.

**BACKGROUND:**

The Emergency Medical Services (EMS) of the Health Services Department is a vital unit that is an integrated system of private and public providers rendering emergency medical care. It is a community-based health management model that provides acute illness, injury care and follow-up. It also contributes to treatment of chronic conditions and community health monitoring.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 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 Emergency Medical Services Division needs to restructure its functions and it has determined that the Emergency Medical Services Program Coordinator is not needed at this time and it is most appropriate to add a Pre-Hospital Care Coordinator position. The Pre-Hospital Care Coordinator will support the new Alliance (contractor/subcontractor) agreement to fulfill the patient safety, medical control and performance oversight associated with the new Alliance service model. This role will also support new statutory mandates associated with changes to Emergency Medical Technician (EMT) and Paramedic certifications and discipline, Dispatch Pre-hospital data integration and Health Information Exchange (HIE) Management, and non-emergency ambulance provider oversight.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this action is not approved, the EMS Unit will not be able to fulfill the operational needs required by the expanded services.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.

**ATTACHMENTS**

P300 No. 21963 HSD

# POSITION ADJUSTMENT REQUEST

NO. 21963  
DATE 8/19/2016

Department Health Services

Department No./

Budget Unit No. 0540 Org No. 6543 Agency No. A18

Action Requested: Add one full-time (1) Pre-Hospital Care Coordinator (VBSG) and cancel one (1) Emergency Medical Services Program Coordinator (VBHB) position #16353 in the Health Services Department.

Proposed Effective Date: 9/28/2016

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 \$7,209.05

Net County Cost \$0.00

Total this FY \$4,806.03

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Measure H funds

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

9/21/2016

\_\_\_\_\_  
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 9/21/2016

☐ 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:

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 9/21/2016

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: September 27, 2016

Subject: Add one Clerk - Specialist Level in the Health Services Department

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21964 to add one Clerk – Specialist Level (JWXD) position at salary plan and grade level 3RX – 1156 (\$3,627 - \$4,632) in the Health Services Department. (Represented)

**FISCAL IMPACT:**

Upon approval, this action has an annual cost of approximately \$94,835 with estimated pension cost of \$19,731 already included. Costs will be 100% funded by Mental Health Realignment monies.

**BACKGROUND:**

The Health Services Department is requesting to add one Clerk – Specialist Level to Behavior Health Division's Utilization Review Unit. Behavioral Health Division has seven new Community Based Organization providers with the anticipation of three additional providers. Utilization Review Unit is responsible for managing and authorizing all claims sent to the State on behalf of the Behavioral Health Division which must be done in a timely manner to avoid delays

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

Contact: Melissa Carofanello -  
melissa.carofanello@hsd.cccounty.us - 925-957-5248

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

ATTESTED: September 27, 2016

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

By: , Deputy

cc:



BACKGROUND: (CONT'D)

in payment and disallowances. The Department has determined one Clerk – Specialist Level position would be the most appropriate solution to address the complexity and increased workload.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Health Services Department will not have the appropriate level of staffing for its Behavioral Health Division's Utilization Review Unit.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

P300 No. 21964 HSD

# POSITION ADJUSTMENT REQUEST

NO. 21964  
DATE 9/7/2016

Department HEALTH SERVICES

Department No./

Budget Unit No. 0467 Org No. 5943 Agency No. A18

Action Requested: Add one Clerk - Specialist Level (JWXD) position in the Health Services Department.

Proposed Effective Date: 9/28/2016

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 \$94,835.07

Net County Cost \$0.00

Total this FY \$79,029.23

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Mental Health Realignment funds

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

Melissa Carofanello

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Enid Mendoza

9/21/2016

\_\_\_\_\_  
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

9/21/2016

☐ 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:

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 9/21/2016

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.
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: September 27, 2016

Subject: Add one Clerk - Experienced Level in the Health Services Department

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21965 to add one Clerk – Experience Level (JWXB) position at salary plan and grade level 3RH – 0750 (\$2,906 - \$3,605) in the Health Services Department. (Represented)

**FISCAL IMPACT:**

Upon approval, this action has an annual cost of approximately \$76,733 with estimated pension cost of \$15,359 already included. Costs will be funded by Mental Health Vocational Services' contract with State of California's Department of Rehabilitation. (100%)

**BACKGROUND:**

The Health Services Department is requesting to add one Clerk – Experienced Level to ensure Behavior Health Division's Mental Health Vocational Counseling Program meets its contract obligations with the Department of Rehabilitation (DOR). One of the contractual requirements is to maintain accreditation from the Commission on Accreditation of Rehabilitation

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

Contact: Melissa Carofanello -  
melissa.carofanello@hsd.cccounty.us - 925-957-5248

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

ATTESTED: September 27, 2016

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

By: , Deputy

cc:

**BACKGROUND: (CONT'D)**

Facilities (CARF). The Program must mail out surveys to Employers, Stakeholders and Clients to assess the Program's service deliverables. The Program must also illustrate accurate consumer file maintenance including file audits and timely file archiving. The Department has determined one Clerk – Experienced Level position would be the most appropriate solution to address these contract obligations.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this action is not approved, the Health Services Department will not have the appropriate level of staffing for its Behavioral Health Division's Mental Health Vocational Counseling Program.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.

**ATTACHMENTS**

P300 No. 21965 HSD

# POSITION ADJUSTMENT REQUEST

NO. 21965  
DATE 9/7/2016

Department HEALTH SERVICES

Department No./

Budget Unit No. 0467 Org No. 5973 Agency No. A18

Action Requested: Add one Clerk - Experienced Level (JWXB) position in the Health Services Department. (Represented)

Proposed Effective Date: 9/21/2016

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 \$76,733.61

Net County Cost \$0.00

Total this FY \$63,944.67

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Third Party Funding

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

Melissa Carofanello

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Enid Mendoza

9/21/2016

\_\_\_\_\_  
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

9/21/2016

☐ 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:

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 9/21/2016

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.
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: September 27, 2016

Subject: Add one part time Mental Health Community Support Worker I in the Health Services Department

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**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21958 to add one part time (20/40) Mental Health Community Support Worker I (VQWE) position at salary plan and grade level TC5 – 0875 (\$2,753 - \$3,346) in the Health Services Department. (Represented)

**FISCAL IMPACT:**

Upon approval, this action has an annual cost of approximately \$40,156 with estimated pension cost of \$7,127 already included. The position will be funded by Mental Health Services Act. (100%)

**BACKGROUND:**

The Health Services Department is requesting to add one part time Mental Health Community Support Worker I to assist with the collection of data and work plan evaluations by administering surveys, conducting focus groups and logging program activities. In addition, this position would support the Promoting Wellness, Recovery, and Self-Management Through Peers Program created under Mental Health Services Act Innovation Program. Without the addition of this new part time

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

Contact: Melissa Carofanello -  
melissa.carofanello@hsd.cccounty.us - 925-957-5248

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

ATTESTED: September 27, 2016

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

position Behavioral Health Division's Office of Consumer Empowerment will not be able to provide the support and data need to adequately administer the Mental Health Services Act Innovation Program. The Department has determined one part time Mental Health Community Support Worker I would be the most appropriate solution to address this growing need.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Health Services Department will not have the appropriate level of staffing for its Behavioral Health Division's Office of Consumer Empowerment.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

P300 No. 21958 HSD

# POSITION ADJUSTMENT REQUEST

NO. 21958  
DATE 9/7/2016

Department HEALTH SERVICES

Department No./

Budget Unit No. 0467 Org No. 5753 Agency No. A18

Action Requested: Add one part-time 20/40 Mental Health Community Support Worker I (VQWE) position in the Health Services Department. (Represented)

Proposed Effective Date: 9/28/2016

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 \$40,156.44

Net County Cost \$0.00

Total this FY \$33,463.70

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Mental Health Service Act Funding

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Melissa Carofanello

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Enid Mendoza

9/20/2016

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 9/20/2016

☐ 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:

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 9/20/2016

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.
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: Kathy Ito, Human Resources Consultant  
Date: September 27, 2016

Subject: Establish Student Intern classification and abolish Student Worker-Deep Class, Administrative Intern-Deep Class and Library Student Assistant

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21961 to establish the classifications of Student Intern, Level I (998A) (unrepresented) at salary plan and grade FS5 101 (\$\$10.00 - \$11.03), Student Intern, Level II (998B) (unrepresented) at salary plan and grade FS5 102 (\$\$11.58 - \$14.08), Student Intern, Level III (998C) (unrepresented) at salary plan and grade FS5 103 (\$14.77 - \$17.95), Student Intern, Level IV (998D) (unrepresented) at salary plan and grade FS5 104 (\$\$18.86 - \$22.92), and Student Intern, Level V (998E) (unrepresented) at salary plan and grade FS5 105 (\$24.07 - \$29.26) effective September 27, 2016; and abolish the classifications of Student Worker - Deep Class (999E) (unrepresented), Administrative Intern – Deep Class (AP9A) (unrepresented) and Library Student Assistant – Exempt (3KW2) (unrepresented), effective December 31, 2016.

**FISCAL IMPACT:**

Departments will transition qualified employees from the classes of Student Worker - Deep Class, Administrative Intern – Deep Class and Library Student Assistant – Exempt Classifications into the Student Intern classification prior to December 31, 2016. Any increased costs will be absorbed by operating departments using the classification. There are no additional pension expenses as individuals occupying the new classification will be temporary employees and not entitled to pension benefits.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Lisa Lopez, Assistant Director of  
Human Resources 335-1779

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

By: , Deputy

cc: Lisa Lopez, Assistant Director of Human Resources, Harjit S. Nahal, Assistant County Auditor

### BACKGROUND:

The Student Intern classification is being established, replacing three outdated and obsolete classes, to provide practical and meaningful work experience for students while providing temporary service to operating departments. This multiple level classification is designed for the employment of students and recent graduates on a limited-term hourly basis up to 25 hours per week. Student Interns may work up to forty (40) hours per week for up to twelve weeks during summer break (May through September). The Student Intern classification is a County-wide classification and duties performed will vary in scope of activity depending on the assigned department and level. Students can advance in both level and pay based on education and operational need. Appointment to this temporary class is restricted to students enrolled in, or recent graduates of, an accredited high school, technical school, junior college, or four-year college or university. Incumbent curriculum must lead to a diploma, program certificate, Associate, Bachelor or advanced degree. This classification will provide a means of temporary employment whereby students may become familiar with the practical application of courses being studied and other areas of interest and is anticipated to provide an opportunity for students to transition into regular county employment. Incumbents will be temporary employees; no regular permanent appointments will be made to this class. Student Interns will not be used in lieu of hiring regular county employees.

### CONSEQUENCE OF NEGATIVE ACTION:

Departments will continue to struggle with outdated intern/worker classifications that do not meet the needs of the County.

### ATTACHMENTS

P300 21961

P300 21961 Attachment

# POSITION ADJUSTMENT REQUEST

NO. 21961  
DATE 9/21/2016

Department Human Resources

Department No./  
Budget Unit No. 0035 Org No. 1351 Agency No. 05

Action Requested: Establish the classifications of Student Intern, Level I (998A) (unrepresented) at salary plan and grade FS5 101 (\$10.00 - \$11.03), Student Intern, Level II (998B) (unrepresented) at salary plan and grade FS5 102 (\$11.58 - \$14.08), Student Intern, Level III (998C) (unrepresented) at salary plan and grade FS5 103 (\$14.77 - \$17.95), Student Intern, Level IV (998D) (unrepresented) at salary plan and grade FS5 104

Proposed Effective Date: 9/27/2016

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 \$0.00

Net County Cost \$0.00

Total this FY \$0.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% General Fund

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

L. Lopez

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L. Strobel

9/21/16

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 9/21/2016

See Attached, effective dates below reflect both actions recommended by Human Resources.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.

☒ 12/31/2016(Date)

L. Lopez

9/21/2016

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 9/21/2016

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

Lisa Driscoll

(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 9/21/2016

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.
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
9. How will the project position(s) be filled?
  - ☐ a. Competitive examination(s)
  - ☐ b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - ☐ c. Direct appointment of:
    - ☐ 1. Merit System employee who will be placed on leave from current job
    - ☐ 2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY

## ATTACHMENT

P300 NO. 21961

Establish the classifications of Student Intern, Level I (998A) (unrepresented) at salary plan and grade FS5 101 (\$10.00 - \$11.03), Student Intern, Level II (998B) (unrepresented) at salary plan and grade FS5 102 (\$11.58 - \$14.08), Student Intern, Level III (998C) (unrepresented) at salary plan and grade FS5 103 (\$14.77 - \$17.95), Student Intern, Level IV (998D) (unrepresented) at salary plan and grade FS5 104 (\$18.86 - \$22.92), and Student Intern, Level V (998E) (unrepresented) at salary plan and grade FS5 105 (\$24.07 - \$29.26), effective September 27, 2016; and abolish the classifications of Student Worker - Deep Class (999E) (unrepresented), Administrative Intern – Deep Class (AP9A) (unrepresented) and Library Student Assistant – Exempt (3KW2) (unrepresented), effective December 31, 2016.



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: September 27, 2016

Subject: Add three Accounting Technician positions, cancel one Clerical Supervisor , one Account Clerk- Advanced Level, and two Account Clerk Exp. positions

**RECOMMENDATION(S):**

ADOPT Personnel Adjustment Resolution No. 21948 to add three (3) Accounting Technician (JD7A) (represented) positions at salary plan and grade 3RX 1236 (\$3,925 - \$5,013), cancel one (1) Clerical Supervisor (JWHF) (represented) vacant position number 2513 at salary plan and grade K6X 1290 (\$4,141 - \$5,288), cancel one (1) Account Clerk- Advanced Level (JDTD) (represented) vacant position number 13237 at salary plan and grade 3RX 1133 (\$3,545 - \$4,527), cancel two (2) Account Clerk–Experienced Level (JDVC) (represented) vacant position numbers 12301 and 13141 at salary plan and grade 3RH 0755 (\$3,192 - \$3,958) in the Office of the Sheriff.

**FISCAL IMPACT:**

The Office of the Sheriff will have an annual savings of \$85,471 to the department's general fund, and an annual retirement savings of \$12,239 due to the adding/canceling of the following positions. Add three Accounting Technicians (\$372,759); cancel one Clerical Supervisor (\$135,081); cancel an Account Clerk Advanced Level (\$114,965) and cancel two Account Clerk Experienced Level positions (\$208,183).

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Marcie Clark, (925)  
335-1545

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

By: , Deputy

cc: Robyn Hanson

#### BACKGROUND:

The Office of the Sheriff oversees the operations and accounting for three detention facilities, 37 Federal and State grants, including the State Homeland Security Grant Program (SHSGP) and Urban Area Security Initiative (UASI), contract Law Enforcement Services, Communication billings, fee for service billing and miscellaneous Law Enforcement billings.

All the grants providing funding have varying degrees of legal requirements requiring a higher level of accounting experience to assist the Sheriff's Fiscal Office in remaining compliant with the ever increasing and constricting State and Federal regulations. As the fiscal agent, the Sheriff's Fiscal Office provides policy, financial and program guidance to its divisions, contractors and sub-recipients. The purpose of the Sheriff's Fiscal Office is to ensure all grant-related expenditures are properly coded to the funding source prior to payment processing. This system enables the Sheriff's Fiscal Office to properly identify all expenditures for claim reimbursement. The fiscal responsibilities in financial grant management require budget monitoring of expenses as specified in the grant program guidelines. In addition, financial and program reports are submitted to various State and Federal agencies. The complex and specialized accounting required for Grants should be performed by the higher level Accounting Technician class.

#### CONSEQUENCE OF NEGATIVE ACTION:

The department requires higher level accounting experience to assist in the Sheriff's Fiscal Unit that require varying degrees of legal requirements. If this action is not approved, grant claim and billing deadlines may not be met, resulting in the loss of substantial revenue in the General Fund; and inmate accounts may be inaccurate, resulting in possible litigation.

#### CHILDREN'S IMPACT STATEMENT:

No impact.

#### ATTACHMENTS

P300 No. 21948

# POSITION ADJUSTMENT REQUEST

NO. 21948  
DATE 9/2/2016

Department Office of the Sheriff

Department No./

Budget Unit No. 0255 Org No. 2500 Agency No. 25

Action Requested: Add three (3) Accounting Technician (JD7A) positions, Cancel one (1) Clerical Supervisor (JWHF) position (2513), Cancel one (1) Account Clerk- Advanced Level (JDHD) position (13237), Cancel two (2) Account Clerk-Experienced Level (JD7D) position (12301) & (13141)

Proposed Effective Date: 10/01/2016

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 (\$85,472.00)

Net County Cost (\$58,472.00)

Total this FY (\$64,104.00)

N.C.C. this FY (\$64,104.00)

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Office of the Sheriff General Fund Cost Savings

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

Mary Jane Robb

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Timothy M. Ewell

9/13/2016

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE \_\_\_\_\_

Add three Accounting Technician positions, cancel one Clerical Supervisor (2513) position, cancel one Account Clerk-Advanced Level (13237) position and cancel two Account Clerk-Experienced Level (12301 & 13141) positions.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_\_(Date)

Tanya Williams

9/14/2016

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

9/19/2016

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

Timothy M. Ewell

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE \_\_\_\_\_

BY \_\_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date 9/19/2016

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 Director  
Date: September 27, 2016

Subject: Interagency Agreement #28-753-9 with Pittsburg Unified School District

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Interagency Agreement #28-753-9 with Pittsburg Unified School District, an educational institution, to pay County an amount not to exceed \$4,000, for the Public Health Clinic Services Scoliosis Screening Project for 7th and 8th grade students, for the period from September 1, 2016 through August 31, 2017.

**FISCAL IMPACT:**

Approval of this Interagency Agreement will allow Pittsburg Unified School District to pay County \$4.00 per student to support the Public Health Clinic Services Scoliosis Screening Project. (No County match).

**BACKGROUND:**

Pittsburg Unified School District has requested that Contra Costa Health Services, Public Health Clinic Services, provide Scoliosis Screening Clinics at their middle schools for their 7th grade girls and 8th grade boys, throughout the school year. By providing an outreach program such as the scoliosis screening of their students, the School District is able to provide a valuable diagnostic and preventative service to their students who might otherwise go untreated.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: : DANIEL PEDDYCORD  
925-313-6712

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

By: , Deputy

cc: A Floyd , M Wilhelm



**BACKGROUND: (CONT'D)**

On December 8, 2015 the Board of Supervisors approved Interagency Agreement #28-753-8 for the provision of Public Health Clinic Services Scoliosis Screening at Pittsburg Unified School District for the period from September 1, 2015 through August 31, 2016.

Approval of Interagency Agreement #28-753-9, will allow Pittsburg Unified School District to continue providing funding to support continuing scoliosis-screening services to its students, through August 31, 2017.

**CONSEQUENCE OF NEGATIVE ACTION:**

If contract is not approved, the Pittsburg Unified School District will not be able to provide continuous scoliosis screening to its eighth grade male students and seventh grade female students throughout the school year.

**CHILDREN'S IMPACT STATEMENT:**

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Interagency Agreement #28-697-14 with Antioch Unified School District

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Interagency Agreement #28-697-14 with Antioch Unified School District, a government agency, to pay County an amount not to exceed \$18,000, for the Public Health Clinic Services Scoliosis Screening Project for its 7th and 8th grade students, for the period from September 1, 2016 through August 31, 2019.

**FISCAL IMPACT:**

Approval of this Interagency Agreement will allow Antioch School District to pay County \$4.28 per student to support the Public Health Clinic Services Scoliosis Screening Project. No County funds match required.

**BACKGROUND:**

Antioch School District has requested that Contra Costa Health Services, Public Health Clinic Services, provide Scoliosis Screening Clinics at their middle schools for their 7th grade girls and 8th grade boys, throughout the school year. By providing an outreach program such as the scoliosis screening of their students, the School District is able to provide a valuable diagnostic and preventative service to their students who might otherwise go untreated. On November

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: DANIEL PEDDYCORD  
(313-6712)

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

By: , Deputy

cc: A FLOYD, M WILHELM

**BACKGROUND: (CONT'D)**

10, 2015, the Board of Supervisors approved Interagency Agreement #28-697-13 with Antioch Unified School District, for the Public Health Clinic Services Scoliosis Screening Project for its 7th and 8th grade students for the period from September 1, 2015 through August 31, 2016. Approval of Interagency Agreement #28-697-14 will allow Agency to offer continuous scoliosis-screening services to its students, through August 31, 2019.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, the county will not receive funds in order to screen for scoliosis in approximately 1,400 7th and 8th grade students in Antioch Unified School District.

**CHILDREN'S IMPACT STATEMENT:**

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Submission of Grant Application #28-886 from the National Association of County and City Health Officials (NACCHO)

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to submit, on behalf of the County Grant Application, #28-886 from the National Association of County and City Health Officials (NACCHO), in an amount not to exceed \$18,000 to support the County's Environmental Health Retail Standards Mentorship Program, for the period from November 1, 2016 through August 31, 2017.

**FISCAL IMPACT:**

Approval of this grant submission will result in an amount of \$18,000 from the National Association of County and City Health Officials (NACCHO) (No County match required)

**BACKGROUND:**

Contra Costa Environmental Health (CCEH) is part of Contra Costa Health Services Department and is mandated by California Health and Safety Codes implement the California Retail Food Code. CCEH has enrolled in the US Food and Drug Administration's (FDA), Voluntary National Retail Food Regulatory Program Standards to maintain professionalism and consistency with our local, state, and federal Environmental Health colleagues. Enrolling in the standards requires meeting

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Marilyn Underwood  
(925) 692-2521

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

By: , Deputy

cc: J Pigg, M Wilhelm

**BACKGROUND: (CONT'D)**

9 program standards as detailed by FDA. Applying for the NACCHO Mentorship Program and obtaining the grant will greatly assist CCEH in obtaining a qualified and approved mentor to properly begin in the program standards to lead to the success of on completing the Retail Food Program Standards.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this application is not accepted, the County will not receive funds to support the needs of participants enrolled in the Environmental Health's Retail Standards Mentoring Program.

**CHILDREN'S IMPACT STATEMENT:**

NOT APPLICABLE



Contra  
Costa  
County

To: Board of Supervisors  
From: Robin Lipetzky, Public Defender  
Date: September 27, 2016

Subject: Grant Award from the California Endowment supporting Proposition 47 Defense Outreach

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Defender, or designee, to apply for and accept a grant in amount of \$25,000 from the California Endowment for the Proposition 47 Outreach program, for the period October 15, 2016 through April 14, 2017.

**FISCAL IMPACT:**

The grant will fund the salary and statutory benefit charges for one (1) temporary clerk, for a six-month period beginning October 15, 2016. There is no requirement for matching funds by the County, and the grant will not increase Net County Cost. Anticipated grant revenues to be received will expended in FY 2016-17.

**BACKGROUND:**

Reflecting a growing movement for justice reform, California voters overwhelming passed Proposition 47, which reclassifies some "non-serious and nonviolent" property and drug crimes from felonies to misdemeanors. The provisions of this new law terminate in November

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☒ APPROVE

☐ OTHER

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Action of Board On: **09/27/2016** ☐ 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: September 27, 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)

2017, which provide Defense Counsel with a limited period of time to identify, locate, and provide legal services to eligible defendants.

By prioritizing an aggressive community outreach strategy in partnership with local community-based organizations and other government departments, the Public Defender's Office has become a statewide leader in Proposition 47 work. The department's efforts have resulted in the swift release of eligible persons from incarcerations, reductions for all known eligible felony probationers (more than 1,000 defendants) and the filing of resentencing and reclassification petitions in approximately 2,000 cases.

There are reclassification provisions in Proposition 47 allowing for the reduction of prior felony convictions retroactively. According to data received from the County's Department of Information Technology, between 10,000 to 15,000 convictions are potentially eligible for reclassification. Despite our Department's commitment to this work, given the limitations of our existing staffing, at the current rate of outreach, application and filing, we expect to identify, solicit and process only 40% of the estimated 10,000 (or more) eligible cases in Contra Costa County, prior to the November 2017 statutory deadline.

Solicitation of supplemental funding from non-profit foundations has previously resulted in three (3) individual awards of \$73,503 to augment the public funding commitment to this important work.

Currently the Proposition 47 Outreach Program has three (3) temporary clerical positions that work under the supervision of a Deputy Public Defender to accelerate the Proposition 47 activities already underway. The job duties include: client intake, review of closed cases, drafting and filing of petitions, preparing files for hearings, client communications and notification and conducting outreach events throughout the County. Continuation of the program is to be funded by the California Endowment in the amount of \$25,000 for one temporary clerk for a six-month period beginning October 15, 2016.

#### CONSEQUENCE OF NEGATIVE ACTION:

The Office of the Public Defender will experience difficulty in fully implementing the mandates of Proposition 47 for the residents of Contra Costa County.

#### CHILDREN'S IMPACT STATEMENT:

None.





Contra  
Costa  
County

To: Board of Supervisors  
From: Ed Woo, Chief Information Officer  
Date: September 27, 2016

Subject: Agreement for Radio Communication Services with Central Sanitary District

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract with the Central Contra Costa Sanitary District, to pay the County at the rate of \$148 per hour, plus expenses, to provide radio communication maintenance services to the District, for the period October 1, 2016 through June 30, 2018.

**FISCAL IMPACT:**

Revenue for DoIT's Telecommunications division.

**BACKGROUND:**

Upon the District's request, the County Department of Information Technology will provide programming and maintenance services for the District's P25 radios used on the East Bay Regional Communications System Authority infrastructure as well as other related radio support services at the rate of \$148 per hour, plus the cost of any materials and required equipment. The agreement provides that the County may adjust the hourly rate on July 1 of each year based on its costs to provide the services, and will notify District in writing of any change in the hourly rate for subsequent fiscal years (July 1 to June 30).

**CONSEQUENCE OF NEGATIVE ACTION:**

Reduced revenue for the radio division, which could increase labor rates.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☒ 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: September 27, 2016

Contact: Ed Woo,  
925-383-2688

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

By: , Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: September 27, 2016

Subject: Carousel Industries - VPI Digital Logging Recorder

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a purchase order to Carousel Industries of North America Incorporated in the amount of \$135,000 and a Software and Services Agreement with Voice Print International, LLC, for the term of September 27, 2016 through September 26, 2019.

**FISCAL IMPACT:**

\$135,000.00 General Fund; Budgeted.

**BACKGROUND:**

The Office of the Sheriff Communications center is a 24 hour Public Safety Answering Point (PSAP) with a legal obligation to preserve recordings for a minimum of 180 days. The center is currently recording telephonic records on a Nice Industries product that is no longer supported by the vendor. It is necessary to replace this system as soon as possible to be able to comply with the legal obligation to preserve these records. The VPI recorder to be implemented and provided by Voice Print International will provide improved redundancy, more storage space, and the ability to record calls while they are on hold. The product also includes a Quality Assurance module which will enable the center to review and critique calls, and provide better customer service to the community.

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☒ APPROVE

☐ OTHER

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☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 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 current Nice voice recorder is no longer supported by the vendor. If no action is taken to purchase the new recorder there is the possibility that the current recorder may fail and not be able to make recordings.

CHILDREN'S IMPACT STATEMENT:

None.



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: September 27, 2016

Subject: Amend Contract with STAND! For Families Free of Violence

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with STAND! For Families Free of Violence, a Non-Profit Corporation, effective September 30, 2016, with no change in the payment limit of \$373,913 to continue to provide Phase II Lethality Assessment Program Implementation for Domestic Violence Homicide Prevention and extend the term from September 30, 2016 to December 31, 2016. (100% Federal)

**FISCAL IMPACT:**

\$373,913: 100% Federal Department of Justice Grant (CFDA #16.590). No County costs.

**BACKGROUND:**

The purpose of this amendment is to extend the contract term to December 31, 2016, to provide continued services. 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 is implemented in two phases - an assessment phase ("Phase I") and an implementation

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☒ APPROVE

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COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: V. Kaplan,  
3-1514

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

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.

CONSEQUENCE OF NEGATIVE ACTION:

Valuable services will not be provided.

CHILDREN'S IMPACT STATEMENT:

None.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: September 27, 2016

Subject: Approve a contract with Valley Air Conditioning & Repair, Countywide

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Valley Air Conditioning & Repair, Inc., in an amount not to exceed \$350,000, to provide co-generation plant maintenance and repair for the period of October 1, 2016 through September 30, 2019, Countywide.

**FISCAL IMPACT:**

The cost is to be funded through Facilities Services budget. (100% General Funds)

**BACKGROUND:**

Facilities Maintenance is responsible for maintenance and repair for all County cogeneration plants. The County has seven of these units in its possession. Valley Air Conditioning & Repair, Inc. was the installing dealer and the local Northern California representative for five of these units. Facilities Services is requesting a contract be approved for a period covering the next three years.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Stan Burton, (925)  
313-7077

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, cogeneration maintenance and repair work will not be performed.





Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Contract #27-277-20 with Kaiser Foundation Health Plan, Inc.

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-277-20 with Kaiser Foundation Health Plan, Inc., a non-profit corporation, in an amount not to exceed \$600,000,000, for the provision of health care services for Medi-Cal recipients enrolled in the Kaiser Foundation Health Plan, for the period from October 1, 2016 through September 30, 2019.

**FISCAL IMPACT:**

This Contract is funded 100% Contra Costa Health Plan Enterprise Fund II. (rate increase)

**BACKGROUND:**

On September 15, 2015, the Board of Supervisors approved Contract #27-277-18 (as amended by Contract Amendment/Extension Agreement #27-277-19) with Kaiser Foundation Health Plan, Inc., for the provision of health care services for Medi-Cal recipients enrolled in the Kaiser Foundation Health Plan, for the period from July 1, 2015 through September 30, 2016.

Approval of Contract #27-277-20 will allow the Contractor to continue to provide health care services for Medi-Cal recipients enrolled in the Kaiser Foundation Health Plan through September 30, 2019.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Patricia Tanquary  
313-6004

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

By: , Deputy

cc: A Floyd, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, Medi-Cal recipients enrolled in Kaiser Foundation Health Plan would not receive health care services.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Contract #26-768-5 with Fred Nachtwey, M.D.

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-768-5 with Fred Nachtwey, M.D., an individual, in an amount not to exceed \$164,000, to provide pulmonary services at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC), for the period from November 1, 2016 through October 31, 2017.

**FISCAL IMPACT:**

This Contract is funded 100% Hospital Enterprise Fund I. (No rate increase)

**BACKGROUND:**

On November 17, 2015, the Board of Supervisors approved Contract #26-768-4 with Fred Nachtwey, M.D. for the provision of pulmonary services including, but not limited to: consultation, sleep studies and medical procedures at CCRMC, through October 31, 2016. Approval of Contract #26-768-5 will allow the Contractor to provide pulmonary services at CCRMC through October 31, 2017.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, patients requiring pulmonary services at CCRMC will not have access to Contractor's services.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 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: Joseph E. Canciamilla, Clerk-Recorder  
Date: September 27, 2016

Subject: Lease Agreement Extension

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a contract amendment with DFM Associates to extend the term of the agreement for an automated voter registration and election management system for one year, beginning June 30, 2016, and continuing thereafter for successive one-year periods, unless otherwise terminated.

**FISCAL IMPACT:**

100% General Fund. The current annual cost is \$167,000, with a provision for annual increases in an amount not to exceed 7%. The last cost increase was 7% in 2013 and the cost is not expected to increase substantially from year to year. This year's costs are included in the department's 2016-2017 budget.

**BACKGROUND:**

Contra Costa's Election Division relies on the DFM Election Information Management System (EIMS) to provide fast, reliable, and accurate election processing for voter registration, precinct/districts, street guide, office/incumbents, extracts/reports, pollworkers/polling places, and petition verification, among other functions. We are required by State and federal laws to maintain voter and election records on an automated voter registration and election management system. DFM is one of only two state-approved vendors and systems.

**CONSEQUENCE OF NEGATIVE ACTION:**

If the extension is not approved, we will be out of compliance with State and federal laws.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Scott O. Konopasek,  
925-335-7808

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

By: , Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Joseph E. Canciamilla, Clerk-Recorder  
Date: September 27, 2016

Subject: Contract for Election Equipment and Supply Delivery

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a contract with Metropolitan Van and Storage, Inc., in an amount not to exceed \$1,000,000 for the delivery, pick up and storage of election supplies and equipment for the period May 1, 2016 through April 30, 2019.

**FISCAL IMPACT:**

The amount of the contract will not exceed \$1,000,000 and will be included in each year's budget. The cost of drayage is a reimbursable election cost and a portion is reimbursed by those agencies for whom the County conducts elections.

**BACKGROUND:**

Bulky and heavy supplies and voting equipment must be delivered to polling locations, set up, and later retrieved for each election the County conducts. Metropolitan has provided these drayage services for many years. This contract renews their services for the same scope of work as in the past.

**CONSEQUENCE OF NEGATIVE ACTION:**

If the request is not approved, the Department will have to find alternative sources for these services, as it does not have the internal capacity to coordinate, stage, and deliver the supplies and equipment.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Scott O. Konopasek,  
925-335-7808

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

By: , Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Correct Board Order Item #C.42 with Laura Hans, M.D.

---

**RECOMMENDATION(S):**

APPROVE clarification of Board action of January 19, 2016 (Item C.42), which authorized the Health Services Director, or designee, to contract with Laura Hans, M.D., an individual, for the period from November 1, 2015 through October 31, 2016, in the amount not to exceed \$290,000 to provide pediatric services, to reflect the correct period of January 1, 2016 through December 31, 2016.

**FISCAL IMPACT:**

This Contract is funded 100% Hospital Enterprise Fund I.

**BACKGROUND:**

On January 19, 2016, the Board of Supervisors approved Contract #26-199 with Laura Hans, M.D., for the provision of clinic coverage, clinical case coverage, report writing and administrative duties in the Pediatrics Unit at Contra Costa Regional Medical Center and Health Centers (CCRMC) for the period from November 1, 2015 through October 31, 2016. The purpose of this Board Order is to correct the term from November 1, 2015 through October 31, 2016 to January 1, 2016 through December 31, 2016, to reflect the intent of the Department.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this correction is not approved, Contractor's contract term will remain incorrect.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 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: John Kopchik, Director, Conservation & Development Department  
Date: September 27, 2016

Subject: Contra Costa Centre Transit Village Financial and Real Estate Consulting – Keyser Marston Associates, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract amendment with Keyser Marston Associates, Inc. (KMA) to increase the payment limit by \$24,300 from \$87,230 to a new payment limit of \$111,530, and extend the term from June 30, 2017 to June 30, 2018, to continue to provide Contra Costa Centre Transit Village Financial and Real Estate Consulting services.

**FISCAL IMPACT:**

No impact to the County General Fund. 100% Developer Reimbursement.

**BACKGROUND:**

The Pleasant Hill BART Station Leasing Authority (the “Authority”), a joint powers agency, formed by the County and BART, and Pleasant Hill Transit Village Associates LLC (the “Developer”) entered into a Disposition and Development Agreement (DDA) on December 19, 2005. The Authority and Developer were discussing amending certain terms and conditions of the DDA when the Authority advised Developer that in order for Authority to evaluate the economic impact of any changes, Authority needs to retain an economic consultant to provide analysis

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Maureen Toms  
925-674-7878

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

By: , Deputy

cc:

**BACKGROUND: (CONT'D)**

and recommendations. Developer has agreed to reimburse the Authority for the cost of such consulting on the terms and conditions set forth under the Reimbursement Agreement (RA) executed by the Authority and the Developer in 2012. Staff of the Department of Conservation and Development (DCD), the designated administrators of the Authority, sent out Request for Proposal (RFP) to eight firms and eventually KMA was selected to provide the services. A contract was executed between Contra Costa County Department of Conservation and Development on behalf of the Pleasant Hill BART Station Leasing Authority and Keyser Marston Associates, Inc., on November 6, 2012. This amendment will allow KMA to continue to provide the services to June 30, 2018, to include a new development opportunity on Block D.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Contractor, Keyser Marston Associates, Inc., will not be able to continue to provide economic analysis and recommendations to the Authority.

**CHILDREN'S IMPACT STATEMENT:**

N/A

**ATTACHMENTS**

L-2 Form

ACKNOWLEDGMENT/APPROVALS  
(Purchase of Services - Long Form)

Number: C45100

ACKNOWLEDGMENT

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

STATE OF CALIFORNIA                    )  
  )  
COUNTY OF CONTRA COSTA        )

On \_\_\_\_\_ (Date),

before me, \_\_\_\_\_ (Name and Title of the Officer),

personally appeared, \_\_\_\_\_,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS MY HAND AND OFFICIAL SEAL.

\_\_\_\_\_  
Signature of Notary Public



Place Seal Above

ACKNOWLEDGMENT (by Corporation, Partnership, or Individual)  
(Civil Code §1189)

APPROVALS

RECOMMENDED BY DEPARTMENT

FORM APPROVED BY COUNTY COUNSEL

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

By: Kathleen M. Andrews  
Deputy County Counsel

APPROVED: COUNTY ADMINISTRATOR

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Joseph E. Canciamilla, Clerk-Recorder  
Date: September 27, 2016

Subject: Annual Electronic Recording Agreement

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute an addendum to the Memorandum of Understanding with the California Department of Justice for County participation in the Electronic Recording Delivery System Program, for the period July 1, 2016 through June 30, 2017.

**FISCAL IMPACT:**

There is no impact to the County General Fund for this program. It will be funded by dedicated Electronic Recording Delivery Trust Fund monies (2454). The cost is determined annually based on the number of participating counties and the number of real property documents recorded the previous year. Contra Costa's share for FY 2016/2017 is \$7,348.88.

**BACKGROUND:**

On November 1, 2005, the Board approved and authorized the Clerk-Recorder to participate in the Electronic Recording Delivery System Program and to enter into a Memorandum of Understanding with the State Attorney General for oversight of the program. The program will enable the County to improve and modernize its systems of recording and handling real property documents by electronically receiving documents from trusted and contracted agencies. Government Code section 27393 requires the Attorney General to develop regulations for review, approval, and oversight of the California Electronic Recording Delivery Program. Government Code section 27397 requires any county that establishes an electronic recording system to pay the Attorney General for the cost of regulation and oversight of the program. This Memorandum of Understanding permits Contra Costa to pay the Attorney General

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Barbara Dunmore  
335-7919

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

>

each year for its proportionate cost of developing and implementing the California Electronic Recording Delivery Program.

CONSEQUENCE OF NEGATIVE ACTION:

Services to residents will not improve if Contra Costa does not participate in the California Electronic Recording Delivery System Program.

ATTACHMENTS

2016-17 MOU

**Fiscal Year 2016/2017 Addendum to Memorandum of Understanding  
Department of Justice  
Electronic Recording Delivery System  
Costs for Regulation and Oversight**

**Parties**

This Addendum to the Memorandum of Understanding (Addendum) is between the California Department of Justice, hereinafter referred to as "DOJ" and the County of Contra Costa, hereinafter referred to as "County."

**Incorporation by Reference of MOU**

Both County and DOJ agree that the terms of the MOU, previously executed, continue to operate and are incorporated herein by reference.

**Purpose**

The purpose of this Addendum is to continue the agreement found in the MOU previously executed by the parties to comply with the Electronic Recording Delivery Act of 2004 (ERDA) (Gov. Code, §§ 27390-27399; "Act"). This Addendum shall operate to bind the parties to the final proportionate costs to the County for fiscal year 2016/17. These costs include the costs for regulation and oversight.

**Agreement**

DOJ and County hereby consent and agree that County will pay DOJ for the direct cost of regulation and oversight in support of the Act, as set forth in Article 6 (commencing with Section 27390) to Chapter 6 of Division 2 of Title 3. The final proportionate cost for fiscal year 2016/17 is attached and incorporated by reference. Upon receipt of payment, the County is authorized to participate in the Electronic Recording Delivery System (ERDS).

**Term of Addendum**

The term of this Addendum operates for fiscal year 2016/17.



### MOU Representatives

The Addendum representatives during the term of this Addendum are:

County of: Contra Costa

Name:

Phone:

Fax:

E-mail:

Department of Justice

Name: Michelle N. Mitchell

Phone: (916) 227-1127

Fax: (916) 227-0595

E-Mail: michellen.mitchell@doj.ca.gov

### Agreed and Accepted

#### Certification of Addendum Representatives

I certify that I have read and understand the aforementioned statements and agree to comply with the requirements contained herein:

County of: Contra Costa

Name:

Department of Justice

Name: Michelle N. Mitchell

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Attachments: Final Proportionate Costs:  
Expenditure Report:

Attachment A  
Attachment B

# ***Fiscal Year 2016/17 Final Proportionate Cost for County Recordors to Fund DOJ Program Costs***

<i><b>County Code</b></i>	<i><b>County Name</b></i>	<i><b>Recordings*</b></i>	<i><b>% of Recordings</b></i>	<i><b>Final County Cost **</b></i>
1	Alameda	341,451	4.66%	\$8,073.50
4	Butte	53,928	0.74%	\$1,275.11
7	Contra Costa	310,805	4.24%	\$7,348.88
9	El Dorado	61,054	0.83%	\$1,443.60
10	Fresno	164,962	2.25%	\$3,900.47
15	Kern	199,224	2.72%	\$4,710.59
19	Los Angeles	1,598,848	21.82%	\$37,804.23
21	Marin	69,800	0.95%	\$1,650.40
24	Merced	46,732	0.64%	\$1,104.96
26	Mono	5,868	0.08%	\$138.75
27	Monterey	68,696	0.94%	\$1,624.29
28	Napa	38,908	0.53%	\$919.97
29	Nevada	36,614	0.50%	\$865.73
30	Orange	660,746	9.02%	\$15,623.12
31	Placer	71,213	0.97%	\$1,683.81
33	Riverside	645,463	8.81%	\$15,261.76
34	Sacramento	420,362	5.74%	\$9,939.32
35	San Benito	14,266	0.19%	\$337.31
36	San Bernardino	270,329	3.69%	\$6,391.84
37	San Diego	781,385	10.66%	\$18,475.59
38	San Francisco	207,354	2.83%	\$4,902.82
39	San Joaquin	157,604	2.15%	\$3,726.49
41	San Mateo	162,987	2.22%	\$3,853.77
42	Santa Barbara	81,703	1.11%	\$1,931.84

\* Recordings are based on what the counties submitted to the Insurance Commissioner in 2015 per the LOI.

\*\* The total documents recorded and filed by the participating counties, as reported to the Office of the Insurance Commissioner pursuant to Section 27296 of the Government Code, for the previous calendar year; A percentage figure will be calculated, by dividing the total documents recorded per participating county, by the total documents recorded for all participating counties; The percentage figure is applied to the estimated annual costs of the ERDS Program to arrive at each participating county's System Administrative Fee.

<i>County Code</i>	<i>County Name</i>	<i>Recordings*</i>	<i>% of Recordings</i>	<i>Final County Cost **</i>
43	Santa Clara	221,544	3.02%	\$5,238.33
44	Santa Cruz	59,899	0.82%	\$1,416.29
45	Shasta	44,154	0.60%	\$1,044.01
48	Solano	127,531	1.74%	\$3,015.43
49	Sonoma	111,454	1.52%	\$2,635.29
52	Tehama	15,832	0.22%	\$374.34
54	Tulare	85,858	1.17%	\$2,030.08
56	Ventura	191,463	2.61%	\$4,527.08
<b>Total</b>		7,328,037		\$173,269.00

\* Recordings are based on what the counties submitted to the Insurance Commissioner in 2015 per the LOI.

\*\* The total documents recorded and filed by the participating counties, as reported to the Office of the Insurance Commissioner pursuant to Section 27296 of the Government Code, for the previous calendar year; A percentage figure will be calculated, by dividing the total documents recorded per participating county, by the total documents recorded for all participating counties; The percentage figure is applied to the estimated annual costs of the ERDS Program to arrive at each participating county's System Administrative Fee.

PROJECTIONS  
ERDS Expenditure/Collections Report

COLLECTIONS

YTD Collections (November 2004 through June 2016)	3,884,993
Interest on Collections	44,342
Total Collections	3,929,336

EXPENDITURES

Summary of ERDS Program Expenditures (November 2004 through June 2016)	3,833,606
2016-17 ERDS Projected Expenditures	223,269
1/ Expenditure Credit Applied to (2016-17) for Subsequent Years (2015-16)	(50,000)
2016-17 Projected MOUs	173,269

1/ Expenditures credits will be applied one year in arrears to allow for fiscal year liquidation.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: September 27, 2016

Subject: Amend Contract with Community Violence Solutions for Services to Victims of Human Trafficking

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Community Violence Solutions effective September 1, 2016 to increase the payment limit by \$6,056 to a new payment limit of \$182,695 for continued services to victims of human trafficking and extend the term from September 30, 2016 to December 31, 2016. (100% Federal)

**FISCAL IMPACT:**

\$182,695: 100% Federal - Department of Justice, Office of Victims of Crime grant, No County match (CFDA #16.320)

**BACKGROUND:**

The Contra Costa County Employment and Human Services Department (EHSD), Zero Tolerance for Domestic Violence Initiative (ZTDV) applied for and received funds from the US Department of Justice, Office for Victims of Crime, Services for Victims of Human Trafficking Program ("Project"). The ZTDV is engaging the Contractor to assist in carrying out activities consistent with the funding application.

The primary purpose of the Services for Victims of Human Trafficking Program ("Project") is to enhance the social service field's response to victims of human trafficking as defined by the Trafficking Victims Protection Act (TVPA) of 2000 (22 U.S.C. § 7101 et. seq.) as amended.

The goals and objectives of the Project are:

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Gina Chenoweth  
3-1648

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

1. To provide timely and high-quality comprehensive services for all victims of human trafficking.
2. To enhance interagency coordination in the provision of services to trafficking victims.
3. To provide training to service providers and allied professionals within the target community to improve community collaboration and increase awareness of the needs and rights of trafficking victims and survivors.

CONSEQUENCE OF NEGATIVE ACTION:

Important services to the community 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: September 27, 2016

Subject: Contract #27-954-1 with Philip R. Mill, O.D. & Michael D. Sutton, O.D., Inc., A Professional Corporation

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-954-1 with Philip R. Mill, O.D. & Michael D. Sutton, O.D., Inc., A Professional Corporation, in an amount not to exceed \$125,000, to provide optometry services to Contra Costa Health Plan members, for the period from November 1, 2016 through October 31, 2018

**FISCAL IMPACT:**

This Contract is funded 100% Contra Costa Health Plan Enterprise Fund II. (No Rate Increase)

**BACKGROUND:**

In November 2014, the County Administrator approved and the Purchasing Services Manager executed Contract #27-954 with Philip R. Mill, O.D. & Michael D. Sutton, O.D., Inc., A Professional Corporation, for the provision of optometry services to Contra Costa Health Plan members for the period from November 1, 2014 through October 31, 2016. Approval of Contract #27-954-1 will allow Philip R. Mill, O.D. & Michael D. Sutton, O.D., Inc., A Professional Corporation, to continue providing optometry services to Contra Costa Health Plan members through October 31, 2018.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Patricia Tanquary  
313-6004

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

By: , Deputy

cc: A Floyd , M Wilhelm



CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized professional health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Contract #27-824-3 with Arthritis and Rheumatology Medical Associates, Inc. (dba Northern California Arthritis Center)

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-824-3 with Arthritis and Rheumatology Medical Associates, Inc. (dba Northern California Arthritis Center), a corporation, in an amount not to exceed \$425,000, to provide rheumatology services to Contra Costa Health Plan (CCHP) members for the period from November 1, 2016 through October 31, 2018.

**FISCAL IMPACT:**

This Contract is funded 100% Contra Costa Health Plan Enterprise Fund II. (No rate increase)

**BACKGROUND:**

In January 2015, the County Administrator approved and the Purchasing Services Manager executed Contract #27-824-2 with Arthritis and Rheumatology Medical Associates, Inc. (dba Northern California Arthritis Center), for the period from November 1, 2014 through October 31, 2016, to provide rheumatology services to Contra Costa Health Plan members. Approval of Contract #27-824-3 will allow the Contractor to continue to provide rheumatology services through October 31, 2018.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Patricia Tanquary  
925-313-6004

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

By: , Deputy

cc: A Floyd , M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized professional health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Contract #23-601 with Omnipro Systems, Inc.

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #23-601 with Omnipro Systems, Inc., a corporation, in an amount not to exceed \$140,000, for the provision of consulting and recruitment services to the Information Systems Unit of the Health Services Department, for the period from September 1, 2016 through June 30, 2018.

**FISCAL IMPACT:**

This Contract is funded 100% Hospital Enterprise Fund I.

**BACKGROUND:**

Under Contract #23-601, the Contractor will provide consulting and recruitment services for the Information Systems Unit of the Health Services Department, for the period from September 1, 2016 through June 30, 2018.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, the Information Systems Unit will not be able to recruit and fill vacant positions.

**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: **09/27/2016** ☐ 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: September 27, 2016

Contact: David Runt,  
335-8700

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

By: , Deputy

cc: Tasha Scott, M Wilhelm



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Agreement #22-995-1 with Persimmony International, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director or his designee, to execute on behalf of the County, Agreement #22-995-1 with Persimmony International, Inc., a corporation, in an amount not to exceed \$1,026,888, to provide for license renewal and maintenance of the Public Health's Home Visiting Program database, for the period September 1, 2016 through August 31, 2019.

**FISCAL IMPACT:**

This Agreement is funded 62% by the Federal Targeted Case Management (TCM) program, 48% of revenue offset will be generated by the Medical Administrative Activities (MAA) and County funds will be used to cover any unfunded amount.

**BACKGROUND:**

The Public Health Division Clinic Services provides home visiting services to patients. The Persimmony software program was developed specifically for the home visiting program to enhance nurse productivity and program accountability and to generate reports that are used to support the direct billing of revenue reimbursements.

Under Agreement #22-995-1, the Contractor will provide license renewal and

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: David Runt,  
335-8700

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

By: , Deputy

cc: Tasha Scott, M Wilhelm

**BACKGROUND: (CONT'D)**

maintenance of the Public Health's Home Visiting Program database, through August 31, 2019.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this Agreement is not approved Public Health Clinic Services would have to attempt to purchase an off-the-shelf data base program, attempt to contract with another software developer to create a similar program or return to using paper charting. That would create an increased risk of patient chart audit exceptions and reduced operational oversight and monitoring capabilities.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Citrix Systems, Inc. Purchase Order

---

**RECOMMENDATION(S):**

Approve and authorize the Purchasing Agent, on behalf of the Health Services Director, to execute a Purchase Order with Citrix Systems, Inc. in an amount not to exceed \$280,620 for purchase of Citrix software support renewals for the period October 1, 2016 through September 30, 2017.

**FISCAL IMPACT:**

100% funding is included in the Hospital Enterprise Fund I Budget.

**BACKGROUND:**

The Epic Electronic Health Record (HER) system requires the use of Citrix Terminal Services. Citrix software allows Health Services Department staff access to the Epic EHR system. Citrix also improves remote access to the Epic EHR for the Contra Costa Regional Medical Center on-call clinical staff. Health Services needs to renew its Citrix Subscription advantage support, extended hours support, and technical relations manager support.

**CONSEQUENCE OF NEGATIVE ACTION:**

Without a current maintenance and technical agreement, Contra Costa Health Services would not be able to receive support in the event of a software or technical issue.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: David Runt,  
335-8700

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

By: , Deputy

cc: T Scott, M Wilhelm, Renee Nunez



CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016  
Subject: Blanket Purchase Order with Hill-Rom Company Inc.

---

**RECOMMENDATION(S):**

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute a Blanket Purchase Order with Hill-Rom Company Inc. in the amount of \$374,949 for a service agreement on rental beds at the Contra Costa Regional Medical Center (CCRMC) for the period November 1, 2016 through October 31, 2019.

**FISCAL IMPACT:**

100% funding is included in the Hospital Enterprise Fund I Budget.

**BACKGROUND:**

Hill-Rom Company Inc., is the only supplier for the specialty beds used at the CCRMC. They provide all the service, repairs, and replacement of the specialty beds. Without the service agreement in place, the CCRMC will not be able to provide the specialty beds needed in Labor and Delivery, specialty beds with higher weight limits, or beds needed for patients with special requirements.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this Purchase Order is not approved, we will not be able to provide the beds required to care for our patient population at the Contra Costa Regional Medical Center.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: David Runt,  
335-8700

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

By: , Deputy

cc: Tasha Scott, M Wilhelm, Renee Nunez

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Contract #74-143-25 with California Psychiatric Transitions Incorporated

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-143-25 with California Psychiatric Transitions Incorporated, a corporation, in an amount not to exceed \$1,022,000, to provide residential care and mental health services to severely emotionally disturbed adults for the period from September 1, 2016 through August 31, 2017.

**FISCAL IMPACT:**

This Contract is funded 100% Mental Health Realignment. (No rate increase)

**BACKGROUND:**

This Contract meets the social needs of County's population in that it provides a multi-disciplinary treatment program to adults who need active psychiatric treatment, including medication support and individual and group therapy services, as an alternative to hospitalization at a State Hospital.

On July 21, 2015, the Board of Supervisors approved Contract #74-143-23 (as amended by Contract Extension Agreement #74-143-24) with California Psychiatric Transitions Incorporated for the period from July 1, 2015 through August 31, 2016 for the provision of residential care and mental health services to severely emotionally disturbed adults.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 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)

Approval of Contract #74-143-25 will allow the Contractor to continue providing services through August 31, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's seriously mentally ill clients will not receive the inpatient psychiatric treatment that they need from this Contractor, and may require hospitalization at a State Hospital.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Contract #74-443-7 with Ujima Family Recovery Services

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-443-7 with Ujima Family Recovery Services, a non-profit corporation, in an amount not to exceed \$669,500, to provide trauma therapy, case management, and assessment services for SAMHWorks Clients for the period from July 1, 2016 through June 30, 2017.

**FISCAL IMPACT:**

This Contract is funded 63% CalWORKS Alcohol and Other Drugs Services and 37% CalWORKS Mental Health. (Rate increase)

**BACKGROUND:**

On July 7, 2015, the Board of Supervisors approved Contract #74-443-6 with Ujima Family Recovery Services for the period July 1, 2015 through June 30, 2016, for the provision of trauma therapy, case management, and assessment services.

Approval of Contract #74-443-7 will allow the Contractor to continue providing services, through June 30, 2017.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Cynthia Belon,  
925-957-5201

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

By: , Deputy

cc: E Suisala, M Wilhelm

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, County's SAMHWorks Clients will not have access to Contractor's services, which may result in a reduction in the levels of service to the community.

**CHILDREN'S IMPACT STATEMENT:**

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: September 27, 2016

Subject: Cancellation Agreement #23-588-3 and Contract #23-588-4 with Vyend, LLC

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County as follows:

1. Cancellation Agreement #23 588-3 with Vyend, LLC, a limited liability company, effective on the close of business on September 30, 2016; and
2. Contract #23-588-4 with Vyend, LLC, in an amount not to exceed \$427,014, for provision of management and technical assistance to the Department's Information Technology Unit, for the period from October 1, 2016 through June 30, 2018.

**FISCAL IMPACT:**

This Contract is funded by Hospital Enterprise Fund I. (Rate Increase)

**BACKGROUND:**

On July 9, 2015, the Board of Supervisors approved Contract #23-588-1 (as amended by Amendment/Extension Agreement #23-588-2) with Vyend, LLC, to provide management and technical assistance in the Department's Information

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: David Runt,  
335-8700

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

By: , Deputy

cc: T Scott, M Wilhelm

**BACKGROUND: (CONT'D)**

Technology Unit including day to day leadership and direction supervision and oversight of the Project Management office, for the period from July 1, 2005 through June 30, 2018.

In consideration of Contractor's agreement to continue providing services, both parties have agreed to re-negotiate payment terms. The Department and the Contractor have mutually agreed to renegotiate the Contract Payment Provisions and the term to reflect the intent of the parties. Therefore, in accordance with General Conditions, Paragraph 5. (Termination and Cancellation) of the Contract, the Department and Contractor have agreed to a mutual cancellation of Contract #23-588-1 (as amended by Amendment/Extension Agreement #23-588-2). Approval of Cancellation Agreement #23-588-3 will accomplish this termination.

Under Contract #23-588-4, Contractor will provide management and technical assistance to the Department's Information Technology Unit, Project Management Office, through June 30, 2018.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, the Contract will not be consistent with the oral agreement negotiated between the Department and Contractor.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Contract Amendment with Xerox Consulting Company, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment (Agreement #23-455-10) with Xerox Consulting Company, Inc., a corporation, to amend the prior contract amendment's (Agreement #23-455-9) effective date of June 30, 2016 to April 1, 2016, with no additional changes to the payment limit (\$1,833,000) or contract term date (June 30, 2017) as approved by the Board on July 12, 2016.

**FISCAL IMPACT:**

This Amendment is 100% funded by Hospital Enterprise Fund I Fund. (No rate increase)

**BACKGROUND:**

On July 12, 2016, the Board of Supervisors approved Contract Amendment/Extension Agreement #23-455-9 (to amend Contract #23-455-8), with Xerox Consulting Company, Inc., effective June 30, 2016, for continuation of consulting and technical support to the Department's Health Services Information System with regards to Electronic Health Records program, and to extend the term from June 30, 2016 through

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: David Runt,  
335-8700

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

By: , Deputy

cc: T Scott, M Wilhelm

BACKGROUND: (CONT'D)

through June 30, 2017. However, the contract amendment/extension effective date of June 30, 2016 was stated incorrectly in the contract amendment/extension and the board order recommendation approved on July 12, 2016. Therefore, the department is requesting approval to execute another contract amendment to change the effective date of Agreement #23-455-9 to April 1, 2016..

CONSEQUENCE OF NEGATIVE ACTION:

If this correction is not approved, the Contractor will not be paid for services rendered, as intended by the County.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Contract Amendment with Soliant Health, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment (Agreement #23-564-3) with Soliant Health, Inc., a corporation, to amend the prior contract amendment's (Agreement #23-564-2) effective date of January 1, 2016 to December 1, 2015, with no additional changes to the payment limit (\$970,200) or contract term date (June 30, 2017) as approved by the Board on May 10, 2016 (Item C.65).

**FISCAL IMPACT:**

This contract is funded 100% Hospital Enterprise Fund I. (No rate increase)

**BACKGROUND:**

On May 10, 2016, the Board of Supervisors approved contract Amendment/Extension Agreement #23-564-2, to amend Contract #23-564-1 (as amended by Amendment Agreement #23-5641) with Soliant Health, Inc., effective January 1, 2016, for continuation of recruitment services for the Information Systems Unit of the Health Services Department, and to extend the termination date from June 30, 2016 through June 30, 2017. However,

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: David Runt,  
335-8700

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

By: , Deputy

cc: T Scott, Marcy Wilhelm

BACKGROUND: (CONT'D)

the contract amendment/extension effective date of January 1, 2016 was stated incorrectly in the contract amendment/extension and the board order recommendation approved on May 10, 2016. Therefore, the department is requesting approval to execute another contract amendment to change the effective date of Agreement #23-455-9 to December 1, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this correction is not approved, the Information Systems Unit will not be able to cover for recruitment services for the month of December.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Contract Amendment with Chenoa Information Services, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment (Agreement #23-574-2) with Chenoa Information Services, Inc., a corporation, to amend the prior contract amendment's (Agreement #23-574-1) effective date of June 30, 2016 to May 1, 2016, with no additional changes to the payment limit (\$200,000) or contract term date (June 30, 2017) as approved by the Board on July 12, 2016.

**FISCAL IMPACT:**

This contract is funded 100% Hospital Enterprise Fund I. (No rate increase)

**BACKGROUND:**

On July 12, 2016, the Board of Supervisors approved Contract Amendment/Extension Agreement 23-574-1, (to amend Contract #23-574), with Chenoa Information Services, Inc. effective June 30, 2016, for continuation of recruitment services for the Health Services Department Information Systems Unit, and to extend the termination date from June 30, 2016 through June 30, 2017.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: David Runt,  
335-8700

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

By: , Deputy

cc: T Scott, M Wilhelm



BACKGROUND: (CONT'D)

The purpose of this board of this is to correct the contract amendment/extension effective date from June 30, 2016 to read May 1, 2016, as it was intended.

CONSEQUENCE OF NEGATIVE ACTION:

If this correction is not approved, Contractor will not paid for additional recruitment services rendered during the month of May.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: September 27, 2016

Subject: Payments for Services Provided by Allegis Group Holdings, Inc. (dba TEK Systems, Inc.)

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Auditor-Controller, or his designee, to pay \$14,705 to Allegis Group Holdings, Inc. (dba TEK Systems, Inc.) for temporary help and recruitment services for the Information Systems Unit during the month of June 2016.

**FISCAL IMPACT:**

This Contract was 100% funding is included in the Hospital Enterprise Fund I budget.

**BACKGROUND:**

Allegis Group Holdings, Inc. (dba TEK Systems, Inc.) provides temporary help and recruitment services for the Information Systems Unit. In June 2016, the Contractor provided services at the Department's Information Systems Unit's direction. Services were both requested by County staff and provided by the Contractor in good faith. Because of administrative oversight by both the County and Contractor, use of temporary help and recruitment services exceeded the authorized limits.

Allegis Group Holdings, Inc. (dba TEK Systems, Inc.) is

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: David Runt,  
335-8700

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

By: , Deputy

cc: T Scott, M Wilhelm

BACKGROUND: (CONT'D)

entitled to payment for the reasonable value of the services it provided under the equitable relief theory of quantum meruit. That theory provides that where a person has been asked to provide services without a valid contract, and the provider does so to the benefit of the recipient, the provider is entitled to recover the reasonable value of those services

CONSEQUENCE OF NEGATIVE ACTION:

Allegis Group Holdings, Inc (dba TEK Systems, Inc.) will not be paid for services rendered in good faith to the Health Services Department's Information Systems Unit.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: September 27, 2016

Subject: Purchase Order - Good Source

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order amendment with Good Source Solutions, Inc., to increase the payment limit by \$80,500 to a new payment limit of \$180,000 in order to provide packed food meals for MDF in addition to food products for the preparation of inmate meals in all three County adult detention facilities for the period April 01, 2016 through March 31, 2017.

**FISCAL IMPACT:**

\$80,500. 100% County General Fund; Budgeted.

**BACKGROUND:**

Good Source Solutions, Inc. specializes in purchasing food product end runs and "seconds" on the market for distribution to schools and correctional facilities, which in turn provides increased purchasing power to client agencies. Good Source Solutions, Inc. is the distributor for Sysco Food Services. At times, the County is able to purchase food products from Good Source Solutions, Inc. directly at a better rate than Sysco Food Services.

The

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☒ 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: September 27, 2016

Contact: Liz Arbuckle,  
925-335-1529

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

By: , Deputy

cc: Heike Anderson, Liz Arbuckle, Tim Ewell

BACKGROUND: (CONT'D)

Martinez Detention Facility kitchen is scheduled for closure by Public Works for some maintenance/renovation work. After several samplings, Good Source Solutions, Inc. was selected as they are the only vendor who can meet the required individual packed food meals needed to service the Inmate population. They have the ability to design specific breakfast and lunch items in meal boxes that meet the necessary California Title XV nutritional requirements for inmates.

CONSEQUENCE OF NEGATIVE ACTION:

The Sheriff's Office will not be able to provide inmates with prepackaged meal items during the renovation of the MDF kitchen.

CHILDREN'S IMPACT STATEMENT:

No impact.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: September 27, 2016

Subject: Renewal of Blanket Purchase Order with Lakeshore Learning Materials

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Employment & Human Services Director, to renew a Blanket Purchase Order with Lakeshore Equipment Company (#3847301) in the amount of \$1,900,000 for the period August 1, 2016 through July 31, 2021 for childcare center furniture, classrooms supplies and equipment.

**FISCAL IMPACT:**

50% State (\$950,000) California Department of Education  
50% Federal (\$950,000) Department of Health and Human Services / Administration for Children and Families  
CFDA # 93.600

**BACKGROUND:**

The Department utilizes this company to furnish supplies for the 17 childcare centers operated by the Department.

**CONSEQUENCE OF NEGATIVE ACTION:**

If not approved, County will not be able to make necessary purchases to operate the childcare centers.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☒ 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: September 27, 2016

Contact: CSB (925)  
681-6304

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

By: , Deputy

cc: Jagjit Bhambra, Eric Pormento, Theresa Anderson, Cassandra Youngblood

#### CHILDREN'S IMPACT STATEMENT:

The Employment & Human Services Department Community Services Bureau supports three of Contra Costa County's community outcomes - Outcome 1: "Children Ready for and Succeeding in School," Outcome 3: "Families that are Economically Self-sufficient," and, Outcome 4: "Families that are Safe, Stable, and Nurturing." These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.

#### ATTACHMENTS

Lakeshore Learning PO





CONTRA COSTA COUNTY  
COMMUNITY SERVICES  
DEPARTMENT

# Contra Costa County Community Services Department



## Request for Purchase Requisition

<b>Vendor:</b> (Suggested)	Lakeshore Learning Materials 180 Hartwell Rd  Bedford City MA State 01730 Zip	<b>Delivery Address:</b> 1470 Civic Ct. Suite 200 Address Concord CA State 94520 Zip Adriana Arceo City Requested by <i>gm</i> <i>8/30/16</i> 8.29.16 Date Accounting Approval Org. # <i>As Coded</i> <i>8/30/16</i> Date Program Director Approval
<b>Name and address of vendor must be completed.</b>		
<b>Quantity</b>	<b>Detailed Description of Item(s) requested Include Item #, Model #, Measurements, or Pictures of Item(s)</b>	<b>Unit Price</b> <b>Total Price</b>
	Renewal of blanket purchase order for school supplies, classroom equipment, playground equipment, pre-school furniture, and related items as needed. GSA Contract pricing available Previous PO: 38473 Renewal dates: 8/1/16-7/31/21	\$1,900,000.0 \$1,900,000.0
<b>Subtotal:</b>		\$1,900,000.0
<b>Sales Tax:</b>		
<b>Shipping/Delivery Charge:</b>		
<b>Total:</b>		\$1,900,000.0



**CRITERIA FOR  
SOLE SOURCE / BRAND PROCUREMENT**

**“SOLE SOURCE JUSTIFICATION FORM”**

Please address by specific reference each question listed below ( 1 – 5 ) in your justification.  
Failure to respond to any of the questions may result in the rejection of your request.  
( When answering questions use separate sheets of paper as needed )

**1. Why was the particular product and / or vendor selected?**

Quality of the products is above standard and long lasting. Lakeshore is well known among child development educators for its attention to detail in their products and appropriateness for their ultimate client- the children.

**2. What are the unique performance factors of the selected product / service?**  
Provide detailed specifications and descriptions.

Lakeshore is quick at delivering the materials and items ordered. They also assist in assembling the large furniture and structures ensuring proper safety for the children. Additionally they provide a certificate valued at 10% of every order to be used on future purchases.

**3. Why are these specific factors required?**

Quality is required to enhance classroom environment, and quick delivery is needed to ensure lesson plans can be carried out appropriately.

**4. What other products / services have been examined and rejected?**

Other vendors are not client friendly when it comes to repairing or installing products that are purchased from them.

**5. Why are other sources providing like goods or services unacceptable?**  
Full explanation needed.

Some vendors have a long delivery time, whereas lakeshore is very quick and customer friendly.

I HEREBY CERTIFY THAT:

- 1) I am an approved County department representative. I understand the County's requirements for competitive bidding, as well as the criteria for justification for sole source.
- 2) I have gathered the required technical information and have made a good faith effort to review comparable and / or equal equipment / product / services.  
Copies are attached.

I certify to the best of my knowledge the validity of the information contained herein.

Department / Division / Office name \_\_\_\_\_

Department representative name \_\_\_\_\_  
( print name )

Department representative signature \_\_\_\_\_  
( sign name )

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

**GSD PURCHASING OFFICE USE ONLY:**

BUYER: \_\_\_\_\_ PURCHASING AGENT / DESIGNEE \_\_\_\_\_

APPROVED: \_\_\_\_\_ NOT APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

COMMENTS:



# SUPPLEMENTAL APPROVAL FORM FOR ITEMS OVER \$25,000

(if over \$100,000- Board of Supervisors Approval needed)

Department: EHSD-Community Services Bureau \_\_\_\_\_ Date: 8.29.16 \_\_\_\_\_

Authorized Requestor: Sung Kim \_\_\_\_\_ Telephone: 925-681.6316

Authorized Requestor Signature: \_\_\_\_\_

1. P.O. Requisition No. 38473 for renewal \_\_\_\_\_

2. Item. School Supplies, equipment, playground equipment, preschool furniture/ equivalent.

3. Single Item ☐ Multiple Like Items X Integrated System ☐

4. How does this purchase meet the Departments operational needs?

Quality of the products is above standard and long lasting. Lakeshore is well known among child development educators for its attention to detail in their products and appropriateness for their ultimate client- the children. Lakeshore is quick at delivering the materials and items ordered.

Lakeshore also assists in assembling the large furniture and structures ensuring proper safety for the children. Additionally they provide a certificate valued at 10% of every order to be used on future purchases.

5. Estimated cost: \$1,900,000.00 from August 1, 2016 to July 31, 2021

6. Funding Source: No county match 50% State  
50% Federal

7. Information Technology Approval (Needed for acquisition of computer hardware, services, software)  
Computer Hardware, Services, and Software meet minimum use guidelines. Signature: \_\_\_\_\_

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

8. County Administrator Approval

Signature: \_\_\_\_\_ Date: . \_\_\_\_\_





# Contra Costa County

[Home \(/\)](#) / [Resource \(/resource\)](#) / [Order Query \(/PurchasingServices/PoReqQuery\)](#) / [Purchase Order](#)

## Purchase Order

[Export to Excel \(/PurchasingServices/PoXls/38473\)](#)

### Details

**Number**

38473

**Date**

08/29/2011

**Blanket Period**

From 08/01/2011 to 07/31/2016

**Department**

CS - COMMUNITY SERVICES

**Dept. Contact**

LAURA PACHECO 925-313-1649

**Short Description**

BPO SPECIAL SCHOOL SUPPLIES

**Purchasing Buyer**

Jay Richardson

**Requisition Number**

EH-010-12-60160 (/PurchasingServices/Req/EH-010-12-60160)

**Outreach Type**

CMAS - GOVT.CMAS,GSA, WSCA, ETC.

**Current Status**

PO Sent (Printed or EDled to the recipient)

**Vendor**

005425 - LAKESHORE LEARNING MATERIALS (/PurchasingServices/Vendor/005425)

**FOB**

Destination

### Ship To

FISCAL UNIT / PURCHASING  
COMMUNITY SERVICES DEPT.  
1470 CIVIC COURT BLDG. #200  
CONCORD, CA 9\*4520





## Invoice To

FISCAL UNIT / PURCHASING  
COMMUNITY SERVICES DEPT.  
1470 CIVIC COURT BLDG. #200  
CONCORD, CA 9\*4520

Item Description	Qty	Unit	Unit Price	Ext. Price
BLANKET PO FOR SCHOOL SUPPLIES, CLASSROOM EQUIPMENT, PLAYGROUND EQUIPMENT, PRE-SCHOOL FURNITURE, AND RELATED ITEMS AS NEEDED. PREVIOUS PO 11321. GSA CONTRACT PRICING AVAILABLE.	1	LOT	\$1,200,000.00	\$1,200,000.00
Tax:				\$0.00
Total:				<b>\$1,200,000.00</b>

EN Org Sub Task Opt Act/WA	Percent	Amount
01-AS CODED	100.00%	\$1,200,000.00





Contra  
Costa  
County

To: Board of Supervisors  
From: Ed Woo, Department of Information Technology  
Date: September 27, 2016

Subject: International Business Machines Corporation Client Relationship Agreement extension

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Information Officer, or his designee, to execute an extension to the Statement of Work for Hourly Services with International Business Machines Corporation, to extend the term through September 30, 2017 with no change to the original payment limit of \$154,400, to complete the replacement of the Department of Information Technology's current billing application with IBM's Usage and Accounting Collector mainframe application, for the period August 18, 2015 through September 30, 2017.

**FISCAL IMPACT:**

\$154,400 (100% User Fees); the cost is budgeted under Org# 1060, Fiscal Year 16/17 and recovered through DoIT's billing process.

**BACKGROUND:**

IBM's CIMS application (currently in use by DoIT) has been replaced by Tivoli Decision Support for zOS (TDSz) Usage and Accounting Collector (UAC) services. CIMS is a middle ware application used to interface Mainframe accounting data and our Microsoft based accounting data. DoIT's accounting department relies on this application to import and export accounting data for the purpose of our weekly and monthly billing processes. Full conversion was not completed under the initial term expiring August 17, 2016. Department would like to extend time to allow completion of the project.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☒ 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: September 27, 2016

Contact: Ed Woo (925)  
383-2688

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

By not implementing the Tivoli Decision Support Mainframe Application upgrade, DoIT will be unable to process our internal and external billing. This would adversely impact the department's revenue.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Gus Kramer, Assessor  
Date: September 27, 2016

Subject: AES Automated Appraisal System Maintenance & Support

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Assessor's Office, a purchase order with Tyler Technologies Inc, in the amount of \$145,861.00 for the maintenance and support of the AES Rapid 2000 computer automated appraisal system for the period of August 1, 2016 - July 31, 2017.

**FISCAL IMPACT:**

AB589 Property Tax Administration Program funds, in the amount of \$145,861.00 will be used to maintain the system.

**BACKGROUND:**

The AES Rapid 2000 system has been operational in the Assessor's Office since 1999. The system currently contains five (5) basic modules including residential property appraisal, appeal processing, public services tracking, Geographic Information System (GIS) and mass appraisal. The AES system has enabled appraisers to have on-line access to comparable sales data, property characteristics and Geographical Information System (GIS) parcel data, which is used to analyze and determine residential property appraisals for enrollment of the Assessment Roll. In its current state, the AES system has become a mission critical application for the appraisal staff, providing tools and services that extend beyond the capabilities if the County's Land Information System (LIS).

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☒ 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: September 27, 2016

Contact: Michelle Cabrera  
925.313.7508

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If the purchase order is not approved, the Assessor's Office will no longer have the ability to maintain and support the AES Rapid computer system, which has become a mission critical application for the appraisal staff who value property for tax assessment purposes.





Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: September 27, 2016

Subject: Pipeline Safety Report to the Alamo Improvement Association

---

**RECOMMENDATION(S):**

CONSIDER AND APPROVE the report, Pipeline Safety in Alamo, and surrounding areas within Contra Costa County, California and staff recommendations in response to the report as recommended by the Transportation Water and Infrastructure Committee.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Alamo Improvement Association (AIA) was awarded a Technical Assistance Grant by the Pipeline and Hazardous Materials Safety Administration, a division of the U.S. Department of Transportation. The grant included pipeline safety public outreach and education, and training for local first responders and outreach regarding the 811 Call Before You Dig Program. The grant period was from October 2014 through September 2015. AIA contracted with the Pipeline Safety Trust in 2015 to provide services intended to educate and inform the community about hazardous liquid pipelines and pipeline safety. The contract included presentation at two community workshops in June 2015 and the production of a report. The report,

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Carrie Ricci, (925)  
313-2235

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

By: , Deputy

cc:

### BACKGROUND: (CONT'D)

Pipeline Safety in Alamo, and surrounding areas within Contra Costa County, California (the Report) is attached as Appendix A and includes a summary of the work completed and recommendations.

The Hazardous Materials Commission reviewed the Report at their January 2016 and April 2016 meetings. The Planning and Policy Development Committee of the Hazardous Materials Commission reviewed the Report and recommendations at their October 2015, December 2015, January 2016 and February 2016 meetings. At the January 2016 meeting, the Commission agreed that 7 of the recommendations contained in the report merit further consideration by the Board of Supervisors. Michael Kent, Executive Assistant to the Hazardous Materials Commission summarized the Hazardous Materials Commission's discussion and the recommendations at the Transportation, Water and Infrastructure (TWIC) Committee Meeting on April 14, 2016. The April 14, 2016 TWIC report is attached as Appendix B.

At the April 14, 2016 TWIC meeting, staff from the Departments of Conservation and Development and Public Works were directed to review the recommendations and report on how they could be implemented within the County. On May 23, 2016 staff from Conservation and Development, Public Works, the Office of Emergency Services, Health Services, Contra Costa County Fire Protection District and San Ramon Valley Fire District met to discuss the recommendations, what is currently being performed and any additional steps that can be taken to improve in these areas. Staff reported back to TWIC on June 9, 2016. The June 9, 2016 TWIC report is attached as Appendix C. At that meeting staff were directed to bring a comprehensive report back to TWIC with an update on how we are implementing the recommendations of the Pipeline Safety Report, what we're currently doing or have planned for each of the recommendations, and what other Counties with hazardous materials pipelines are doing regarding land use restrictions for pipelines located near congregate facilities. Staff reported back to TWIC on August 11, 2016 with a comprehensive report which is attached as Appendix D. At the August 11, 2016 representatives from the Alamo Improvement Association provided comments to the recommendations which are attached as Appendix E. The comments will be sent to the appropriate County Departments for review and consideration. TWIC directed staff to bring the report to the Board of Supervisors for consideration.

### CONSEQUENCE OF NEGATIVE ACTION:

Staff will not move forward on the responses in the report.

### ATTACHMENTS

Appendix A

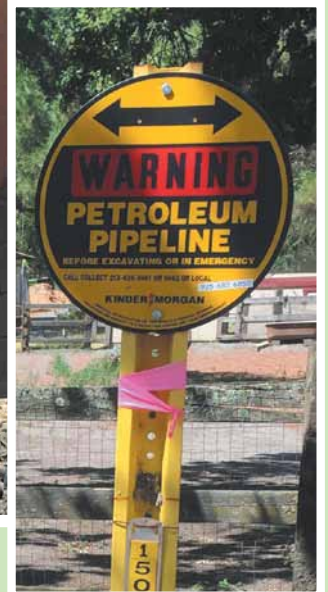
Appendix B

Appendix C

Appendix D

Appendix E

# Pipeline Safety in Alamo, and surrounding areas within Contra Costa County, California



## Pipeline Safety Report to the Alamo Improvement Association

Produced by the Pipeline Safety Trust  
September 2015

## Appendix A

# ACKNOWLEDGEMENTS

The Alamo Improvement Association (AIA) sponsored this report through a Community Technical Assistance Grant they received from the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration. **Roger Smith**, AIA President, was the driving force behind this project; and **Aron DeFarrari**, Board Member, offered valuable feedback.

Multiple Contra Costa County staff members were helpful in the writing of this report, and we appreciate their input and cooperation. **Michael Kent**, Hazardous Materials Ombudsman, was invaluable in connecting us with others in the community and providing information. **Jennifer Quallick**, Field Representative to Supervisor Anderson, was also very helpful.

Together, the four people mentioned above gave countless hours as part of the AIA Technical Assistance Grant for pipeline safety, ad-hoc working group, and we thank them all for their dedication.

Numerous county, state, and federal agency employees, and pipeline operator staff members, spent time giving us information used in this report, and we appreciate their willingness to help.

The Pipeline Safety Trust promotes pipeline safety through education and advocacy, increased access to information, and partnerships with residents, safety advocates, government, and industry, resulting in safer communities and a healthier environment.

The work of the Pipeline Safety Trust would not be possible without the guidance and diligent work of the following people:

### Trust Board of Directors

Lois Epstein – President (Anchorage, Alaska)

Sara Gosman – Vice President (Fayetteville, Arkansas)

Bruce Brabec – Treasurer (Bonaire, Netherlands Antilles)

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Jeffrey Insko (Rochester, Michigan)

### Trust Staff

Carl Weimer – Executive Director

Rebecca Craven – Program Director

Samya Lutz – Outreach Coordinator

Chris Coffin – Administrative Assistant/  
Webmaster/Graphic Design

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## **Appendix A**

# **LIST OF ACRONYMS**

AIA – Alamo Improvement Association

ASV – Automatic Shutoff Valve

CAER – Community Awareness and Emergency Response

CalEPA – California Environmental Protection Agency

CAO – Corrective Action Order

CATS – Community Assistance and Technical Services, PHMSA Pipeline Safety outreach staff

CCC – Contra Costa County

CDE – California Department of Education

CPUC – California Public Utilities Commission

CUPA – Certified Unified Program Agency, as authorized under CalEPA

DCD – Contra Costa County Department of Conservation and Development

EFRD – Emergency Flow Restricting Devices, or valves

EPA – Environmental Protection Agency

FERC – Federal Energy Regulatory Commission

HCA – High Consequence Area

HL – Hazardous Liquid

HSD – Contra Costa County Health Services Department

IHC – Iron Horse Corridor

LS – Line Segment, specifying a number that identifies a specific segment of a pipeline

NTSB – National Transportation Safety Board

OSFM – California Office of the State Fire Marshal

OSPR – California Department of Wildlife, Office of Spill Prevention and Response

PHMSA – U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration

PST – Pipeline Safety Trust, also referred to in this report as “the Trust”

RCV – Remote Control Valve

SFPP – Santa Fe Pacific Pipeline system that is operated by Kinder Morgan

TAG – PHMSA Community Technical Assistance Grant



## EXECUTIVE SUMMARY

The Pipeline Safety Trust reviewed Contra Costa County hazardous liquid pipelines, with a particular focus on the Alamo area and the Iron Horse Corridor. In this report, we provide general information on pipeline regulations and risks, as well as more detailed information on concerns of particular interest to the Alamo community.

We make a number of recommendations interspersed throughout the report and summarized here that in our opinion – if adopted by the various agencies and stakeholder groups mentioned – would make pipelines in Contra Costa County even safer.

These recommendations are organized under the agency or group to which they are directed. We have purposefully not prioritized our recommendations, as implementation may be affected by any number of factors including budgets and workloads of the agencies involved. All our recommendations are summarized here:

### **The Federal Pipelines and Hazardous Materials Safety Administration Could:**

- Make information about a pipeline's High Consequence Area designation easily available to the public.
- Adopt regulations to implement the NTSB recommendations regarding needed improvements to the Integrity Management requirements for both gas and hazardous liquid pipelines.
- Adopt stronger regulations requiring automated valves consistent with the NTSB recommendations.
- Adopt stronger regulations that require better leak detection systems in hazardous liquid pipelines that could affect high consequence areas, and provide a clear performance standard for computational pipeline monitoring systems.

### **The State of California Could:**

- Enforce excavation damage prevention laws. Currently authority is held with the Attorney General's office, but there is not adequate staffing or resources to respond to notifications of alleged violations or to investigate. Other agencies respond on a fragmented basis depending on the damaged utility involved.
- Work with the California Department of Education (CDE) on ways to implement CDE's suggestions for reducing the probability of a pipeline product release on schools, and reducing the severity and consequences of pipeline releases on schools.

### **The California Office of the State Fire Marshal Could:**

- Make their maps, incident and inspection information accessible to the public by posting it online.
- Make information about a pipeline's High Consequence Area designation easily available to the public.

- Adopt regulations to implement the NTSB recommendations regarding needed improvements to the Integrity Management requirements that apply to intrastate hazardous liquid pipelines.
- Adopt stronger regulations for intrastate pipelines requiring automated valves that apply to hazardous liquid pipelines along the lines of the NTSB recommendations.
- Adopt stronger regulations for intrastate pipelines that require better leak detection systems in high consequence areas, and that provide a clear performance standard for computational pipeline monitoring systems.

### **The California Department of Education Could:**

- Expand School Site Pipeline Risk Analysis and the Potential Pipeline Hazard Mitigation/Management guidance in coordination with emergency response agencies to offer help for schools that already exist in close proximity to pipelines. Lead coordination efforts among the myriad of agencies that offer crisis planning assistance to schools, and suggest minimum information that should be included in these plans regarding pipelines.

### **The Contra Costa Board of Supervisors Could:**

- Ensure the single staff point-of-contact for citizens (especially along the Iron Horse Corridor) with concerns about multiple utility issues and right of way questions has technical training on safety concerns, adequate resources to conduct regular and broad community outreach, and resources to work in close coordination with other related departments and advisory groups.
- Request appropriate staff conduct an analysis of all congregate facilities (i.e. schools, recreation facilities, hospitals, nursing facilities, etc.) located in close proximity to transmission pipelines; Work with other emergency response agencies to develop a list of resources for emergency and evacuation planning expertise for congregate facilities near pipelines that can include potential hazards from a pipeline incident, and mitigation strategies for those hazards based on site-specific considerations.
- Consider adding goals and policies regarding pipelines to the General Plan, and amending Contra Costa County Zoning Code 82-2.010 so that all gas and hazardous liquid transmission pipelines would be subject to (and not exempt from) the General and Land Use District regulations (divisions 82 and 84). Consider additional ordinance(s) pertaining to zoning and land use permitting for hazardous liquid pipelines and possibly also intrastate gas transmission pipelines that are proposed for construction, replacement, modification, or abandonment.



## **Appendix A**

- Adopt clear policies and deterrents regarding preventing encroachment including the review of setback variances by municipal advisory councils or committees and department staff so that properties and vegetation along utility corridors do not encroach on pipelines.
- Work in coordination with pipeline operators to develop a technical advisory body that can review the integrity management plans (similar to the Santa Barbara County System Safety Reliability Review Committee) and other technical assessments of the pipelines in order to cultivate informed technical expertise in the county and increase public trust and awareness.

### **The Contra Costa County Department of Conservation and Development Could:**

- Consider adding goals and policies regarding pipelines to the General Plan, and amending Contra Costa County Zoning Code 82-2.010 so that all gas and hazardous liquid transmission pipelines would be subject to (and not exempt from) the General and Land Use District regulations (divisions 82 and 84). Consider additional ordinance(s) pertaining to zoning and land use permitting for hazardous liquid pipelines and possibly also intrastate gas transmission pipelines that are proposed for construction, replacement, modification, or abandonment.
- Review all development applications for opportunities to improve existing ingress/egress where currently limited, and where possible, include conditions on approvals to improve connectivity and avoid exacerbation of access problems.

### **The Contra Costa County Health Services Department Could:**

- Expand the scope of the Hazardous Materials Ombudsman and the Hazardous Materials Commission regarding pipelines to provide an ongoing review of pipeline operators' emergency plans and an active role in possible county efforts regarding additional coordinated technical review of pipeline integrity management planning.

### **The Contra Costa County Public Works Department Could:**

- Plan emergency evacuation ingress/egress for areas in Alamo west of Danville Boulevard and the Iron Horse Corridor where a single east-west pipeline-crossing road is the only access for numerous homes and facilities (e.g., Hemme Road, Camille Road) with the goal of creating public accessibility across these 'dead-end' neighborhoods that necessitate crossing the pipeline to access any services.
- Ensure the county has complete and accurate records of corridor and right of way locations and widths. Continue to coordinate with Kinder Morgan and other utilities on resolution of encroachments into pipeline rights of way.

### **The Contra Costa County Office of Public Education & Local School Districts Could:**

- Expand emergency preparedness resources to include information about pipelines and pipeline-specific risks. Assist individual schools in developing crisis plans and emergency preparedness plans that include pipelines on the emergency maps and assess how ingress/egress may be affected by a pipeline incident.

### **The Contra Costa County Community Awareness and Emergency Response (CAER) Group Could:**

- Include specific reference to oil and gas pipelines in the list of potential hazards listed in the hazard assessment in the next update to the Model Emergency Plan for Schools.

### **Pipeline Operators Could:**

- Reach out to the schools along pipeline easements and offer to provide technical assistance assessing pipeline risks and evacuation strategies given possible incidents that could occur in close proximity to the schools.
- Consistently undertake assessments of existing Right of Way encroachments to determine whether there are safety implications. Coordinate with Contra Costa County to resolve encroachments with neighboring property owners.
- Become members of the Contra Costa County Community Awareness and Emergency Response Group, and participate consistently in quarterly meetings and responses.
- Contract for an independent technical seismic vulnerability study on HCA pipelines affected by potentially active faults to feed into the pipeline risk analysis, and make the study available to the public.
- Work in coordination with the Board of Supervisors to develop a technical advisory body that can review the integrity management plan (similar to the Santa Barbara County System Safety Reliability Review Committee) and other technical assessments of the pipelines in order to cultivate informed technical expertise in the county and increase public trust and awareness.

### **Local Fire Districts Could:**

- Designate a single point-of-contact to coordinate with pipeline operators, familiarize themselves with the operators' emergency response and spill response plans, know the facilities where people congregate (schools, churches, hospitals, nursing facilities, etc.) in close proximity to the pipeline, and be involved with any emergency planning done by those facilities.

# INTRODUCTION

## Background

Contra Costa County has over 1 million people and covers approximately 805 square miles. The city of Martinez is the county seat, and one of nineteen incorporated cities within the county. Oil refineries operate along the western and northern coastlines: Phillips 66, Chevron, Shell Oil, and Tesoro, with associated petroleum storage and transportation infrastructure. Most of the hazardous liquid pipelines in the county transport product to or from a storage facility or refinery.

A Board of Supervisors governs the County, with representatives elected from five districts; the Alamo area is part of District II, and is unincorporated with about 15,000 residents. The homeowners association – the Alamo Improvement Association – is quite active, with an elected board and committees. In addition, the Alamo Municipal Advisory Council serves a formalized role with the county as an advisory body to the Board of Supervisors and the County planning agency, providing review and recommendations for a variety of activities that impact the Alamo area.

One of the areas of particular interest to the Alamo community is the Iron Horse Corridor. This is an historic rail corridor managed as a regional multiuse trail that runs roughly north-south from Concord in northern Contra Costa County to beyond the Alameda County line to the south, cutting Contra Costa County roughly in half and traversing the county for about 20 miles. Utilities and private infrastructure also run along the corridor, including a refined oil pipeline referred to as the San Jose line that is part of the Kinder Morgan Santa Fe Pacific Pipeline (SFPP) system. Conversations in the Alamo community precipitated a renewed interest in this pipeline, and prompted the Alamo Improvement Association (AIA) to seek technical assistance and commission this report on pipeline safety.

## Purpose and Scope of Report

The Alamo Improvement Association (AIA) contracted with the Pipeline Safety Trust in February 2015 to provide services intended to educate and inform the community about hazardous liquid pipelines and pipeline safety. That included presentations at two community workshops in June 2015, as well as the production of this report.



***Hazardous Liquid Pipeline Safety Workshop held on June 3, 2015 in Alamo, CA***

The funding for these services came from a Community Technical Assistance Grant (TAG) awarded by the Pipeline and Hazardous Materials Safety Administration (PHMSA), a division of the U.S. Department of Transportation. AIA applied for this grant in the spring of 2014 to include pipeline safety public outreach and education, as well as training for local first responders, and outreach regarding the national 811 Call Before You Dig program. The grant period ran from October 2014 – September 2015. Roger

## **Appendix A**

Smith, President of the Alamo Improvement Association was the primary point of contact for the TAG award and contract for services with the Trust.

From January through August 2015, Pipeline Safety Trust staff participated in periodic conference calls with two representatives of the Alamo Improvement Association, a field representative in Contra Costa County District II Supervisor Anderson's office, and the Hazardous Materials Ombudsman within the Contra Costa County Health Services Department. This ad-hoc group was highly engaged with planning the two hazardous liquid pipeline safety workshops that took place in June,<sup>1</sup> and continued to be involved through the report process. Pipeline Safety Trust staff also engaged in one-on-one conversations with these same individuals as well as others from Contra Costa County Departments of Health Services, Public Works, Conservation and Development; local emergency services; California State offices of the Fire Marshal and the Office of Spill Prevention and Response; Kinder Morgan; and from the federal Pipeline and Hazardous Materials Safety Administration.

AIA asked the Trust to report broadly on pipeline issues affecting the entire county as well as the role of federal and state agencies, and to focus in on issues specific to petroleum pipelines and particularly the pipeline concerns of people in the Alamo area. All the data shown in charts or graphs in this report is from PHMSA as of August 2015, unless otherwise noted.

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<sup>1</sup> The second of these two public forums was captured on video by CCTV, and is available to watch here: [http://contra-costa.granicus.com/MediaPlayer.php?publish\\_id=935921b6-0eea-11e5-b5ce-00219ba2f017](http://contra-costa.granicus.com/MediaPlayer.php?publish_id=935921b6-0eea-11e5-b5ce-00219ba2f017)

## PIPELINE BASICS AND TECHNICAL ISSUES

### What kinds of pipelines are in Contra Costa County?

There are three main types of pipelines in Contra Costa County, and it is important to understand what the different types are since they have different safety considerations and are regulated by different agencies under different rules.

The three main types are:

**Hazardous Liquid Lines:** These are the lines that move crude oil to the local refineries and then move refined products (gasoline, jet fuel, diesel, etc.) from the refineries to other markets.

**Natural Gas Transmission Lines:** These are the relatively larger, higher-pressure pipelines that move gas from production or storage to where the gas is distributed to our homes and businesses. They operate at pressures in the range of 300 to over 1500 pounds per square inch.

**Natural Gas Distribution Lines:** A distribution line is a relative small, lower pressure pipeline used to supply natural gas directly to our homes and businesses. A distribution line is located in a network of piping located downstream of a natural gas transmission line. The “city gate” is where a transmission system feeds into a lower pressure distribution system. Gas distribution pipelines comprise by far the most mileage of pipes; they carry odorized gas (with the characteristic smell of rotten eggs) throughout urban areas.

Two other important distinctions are **interstate pipelines** compared to **intrastate pipelines**. **Interstate** pipelines are typically longer transmission pipelines that cross state lines; **intrastate** pipelines are transmission pipelines that lie wholly within a single state.<sup>2</sup>

<sup>2</sup> State lines are not the sole determiner for the inter/intrastate distinction. For details see 49 CFR 195, Appendix A.

### Where are the pipelines in Contra Costa County?

The US has over 2.6 million miles of pipelines. Most of these (approximately 92%) carry gas – predominantly natural gas – and the rest (approximately 8%) carry hazardous liquids. Hazardous liquid and natural gas pipelines are governed by separate regulations. Whether and how pipelines are regulated also depends on what product is carried and where the pipeline is located.

Regulated Pipeline Mileage - U.S. and California		
Miles of Pipelines	U.S.	California
Gas Transmission & Gathering	319,350	11,861
Gas Distribution	2,167,270	200,262
Hazardous Liquid	198,778	7,139
<b>Total</b>	<b>2,685,398</b>	<b>219,262</b>
<i>Data from PHMSA as of 8/5/2015</i>		

There are over 4,000 miles of natural gas pipelines in Contra Costa County, 260 miles of which are transmission lines, and the rest are distribution lines and services.<sup>3</sup> All the natural gas distribution pipelines are operated by Pacific Gas & Electric under the jurisdiction of the California Public Utility Commission.

Hazardous liquid (HL) transmission pipelines in Contra Costa County total close to 500 miles.<sup>4</sup> Roughly two-thirds of the HL pipelines carry refined products, and about one-third carry crude oil.

<sup>3</sup> Data on gas pipeline mileage is from the California Public Utilities Commission (July 2015).

<sup>4</sup> Data on HL pipeline mileage in Contra Costa County from OSFM staff, and does not include empty or abandoned lines.

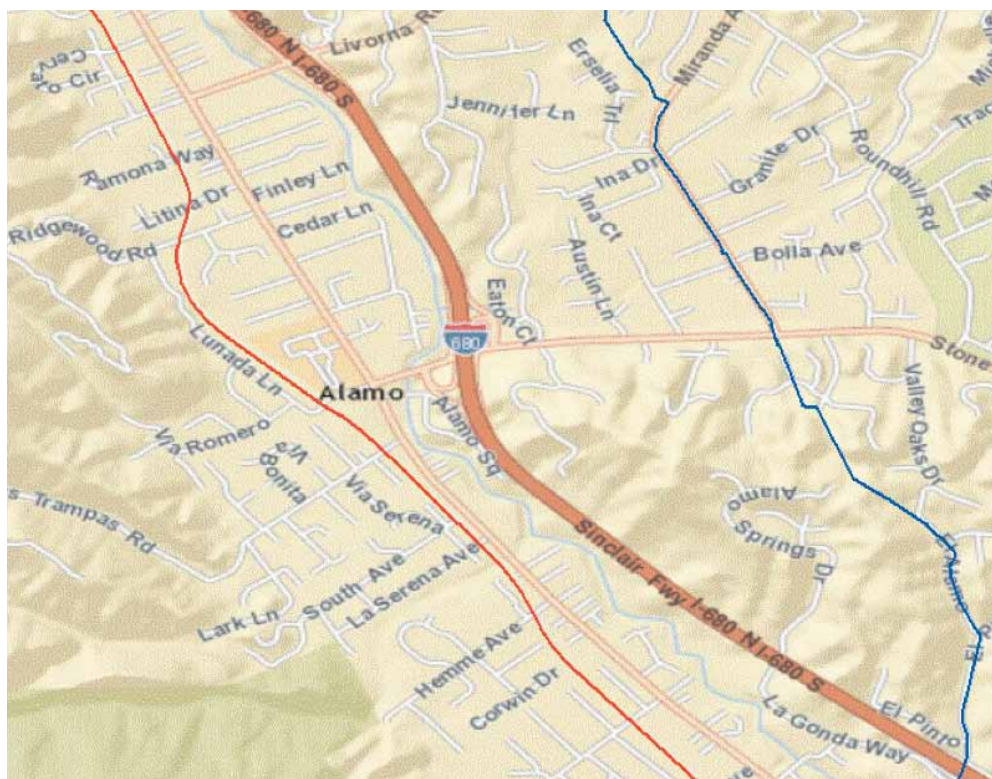


## Appendix A

The map below from the National Pipeline Mapping System<sup>5</sup> shows the general location of the hazardous liquid (red) and the gas transmission (blue) pipelines in Contra Costa County.



Anyone can access these maps to see where hazardous liquid and gas transmission pipelines run through their community. The map below shows the two main pipelines running through the Alamo area – the Kinder Morgan San Jose Line in red and the PG&E natural gas line in blue. The “public viewer” for the maps is available online at: <https://www.npms.phmsa.dot.gov/PublicViewer/>.



<sup>5</sup> <https://www.npms.phmsa.dot.gov/PublicViewer>

## Appendix A

The system takes practice to navigate, but once a person figures it out it is possible to zoom in to get an idea of where these types of pipelines are generally located and some basic information about the pipelines themselves. While these types of maps can provide a general idea of where pipelines are located they should never be used as an indication of where it might be safe to dig. The One Call system is the only way to identify the exact location of a pipeline, and is discussed in more detail later in this report.

### Details about the San Jose Pipeline

AIA is particularly interested in the Kinder Morgan SFPP pipeline, especially the portion of that pipeline that runs for nearly 20 miles along the Iron Horse Corridor in central Contra Costa County; this segment of the SFPP system is also called the “San Jose line” or LS-16 (line segment 16). This line carries refined oil products and is the focus of this report because of its location along the Iron Horse Corridor from Concord south through Alamo to the Contra Costa – Alameda county line and beyond to San Jose. LS-16 is ten inches in diameter and classified as an intrastate pipeline, meaning it is regulated by the Office of the State Fire Marshal under a certification from PHMSA, and it operates under a rate structure approved by the California Public Utilities Commission (CPUC). The San Jose line is subject to federal regulations with regard to integrity management (discussed elsewhere in this report) as a release from the line could affect a high consequence area.

The San Jose line delivers petroleum products from a pump station in Concord to the Kinder Morgan San Jose terminal – a total of 51.4 miles – and was installed in the mid-1960s, with portions of the pipe replaced through the decades as a result of maintenance activities. The maximum allowable operating pressure on the San Jose line is 1310 pounds per square inch gauge (psig), and the typical operating pressure at the originating Concord station is 1165 psig (operating pressure varies by elevation and distance from pump stations). The line throughput is generally about 4483 barrels per hour.<sup>6</sup>

There are five valves along the length of this line segment that serve to further isolate sections of the pipeline in the event of a release, located on average every 10 miles.<sup>7</sup> These valves include three manual gate valves and two motor operated remote control valves. There are no automatic shut-off valves on this line.

The original easement for this pipeline was between SFPP and the South Pacific Railroad, and existed at the time the county acquired the right-of-way from the Railroad in the 1980s.

<sup>6</sup> Information about the San Jose line (LS-16) was gleaned from the following sources: PHMSA accident report database; OSFM pipeline failure investigation report; OSFM review of KM Integrity Management Program; PHMSA 5-2005-5025H case files; and presentation by KM Operations Manager June 2015.

<sup>7</sup> The distance is greater than 10 miles in some places, with original placement impacted by topography and elevation.

## Who regulates pipeline safety?

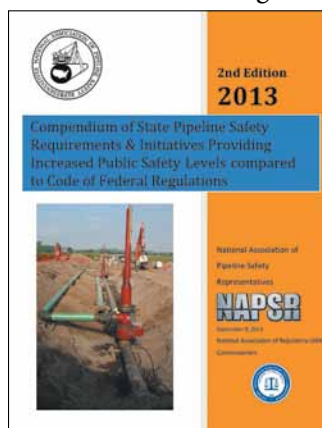
### Federal Oversight

Ultimately the U.S. Congress has responsibility for setting the framework under which pipeline safety regulations operate in the country. The U.S. Department of Transportation through the Pipeline and Hazardous Materials Safety Administration (PHMSA) is primarily responsible for issuing and enforcing the minimum pipeline safety regulations. Most of these regulations are performance-based. For example, pipeline operators are required by the federal regulations to operate and repair pipelines in a safe manner so as to prevent damage to persons or property, but the way in which they do so is generally not spelled out prescriptively. This allows pipeline operators to prioritize pipeline inspections and repairs in areas with higher populations or higher risk factors, but it also makes the regulations ambiguous and challenging to enforce.

### State Oversight

The federal pipeline safety laws allow for states to accept the responsibility to regulate, inspect, and enforce safety rules over intrastate pipelines within their borders under an annual certification from PHMSA. If a state receives such intrastate authority they can set regulations that are more stringent than those PHMSA sets as long as the state rules do not conflict with the federal regulations. PHMSA also can enter into an agreement with the state pipeline regulator to carry out inspections on interstate pipelines. Local governments are not allowed to create rules to regulate the operational safety of pipelines, though they may have involvement in spill response, routing and siting issues, and franchise or easement agreements.

California has authority for intrastate pipelines, which is carried out through the Office of the State Fire Marshal (OSFM) for hazardous liquid pipelines, and through the California Public Utilities Commission (CPUC) for natural gas pipelines. The OSFM also had authority to act as an interstate agent for PHMSA on hazardous liquid interstate pipelines through 2012, but ended that agreement to focus better on the intrastate pipelines due to an inability to retain enough qualified inspectors on staff. The California State Legislature is currently working to address this pay scale problem.<sup>8</sup>



**NAPSR Compendium of State Pipeline Safety Requirements & Initiatives (2013). See <http://www.napsr.org/compendium>.**

California has adopted both hazardous liquid and natural gas pipeline regulations that are more stringent than the federal minimum regulations for the intrastate pipelines. Some of those stronger hazardous liquid rules include better information sharing, incident reporting, and planning outreach to fire departments; more frequent pipeline inspections or testing, additional pressure testing requirements in certain situations including for

<sup>8</sup> See SB-295 Pipeline safety: inspections (2015-2016).



## Appendix A

pipelines that have experienced certain kinds of leaks; better protection of pipeline easements from encroachment; and an internal comprehensive database and mapping system.<sup>9</sup>

### City and County Governmental Powers

For the most part the federal pipeline safety law precludes local government from adopting any regulation that requires a pipeline operator to take any action regarding the safe operation of a pipeline. There is nothing in state or federal law that restricts a local government's ability to ask for increased safety measures as part of their negotiations regarding the use of public rights-of-way or other public property. While local government may not be able to require or enforce such measures, cities nationwide have been able to obtain increased safety measures through such voluntary requests, especially when such safety measures are well thought out, supported by the public, and do not conflict with federal or state regulations. One area in which local government has considerable ability to increase pipeline safety is through their land use and zoning authority. Details of this option are discussed in the Land Use Planning section later in this report.

### How much risk is there from the pipelines in Contra Costa County?

Risk is one of those things that one person cannot really define for another, since each person thinks about risks in their own personal way. While some feel that skydiving is a risk worth taking, others won't even go up in the airplane. In other words it is not possible for us to say whether the pipelines in Contra Costa County are safe enough. All we can do is to try to provide enough information so individuals can make that decision on their own, and then work with others in their community to set policies based on the beliefs of as many people as possible.

Risk is made up of two different factors both of which need to be carefully considered when deciding how risky an activity is. Those factors are the probability that an event will occur (chance a pipeline will rupture or leak), and the possible consequences if it does.

### Probability

First let's take a look at some of the publicly available data to try to get a sense of the probability of a hazardous liquid pipeline incident occurring in Contra Costa County or along the Iron Horse Corridor.

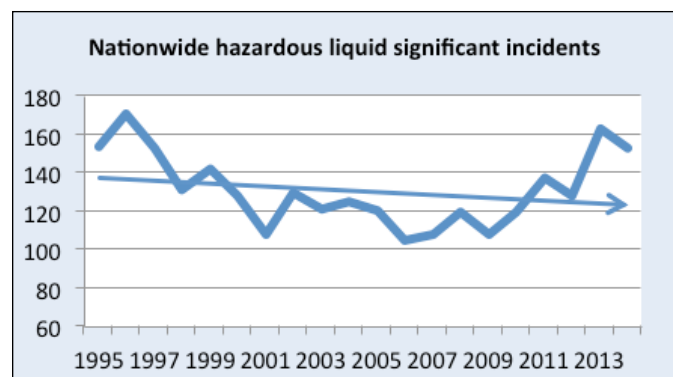
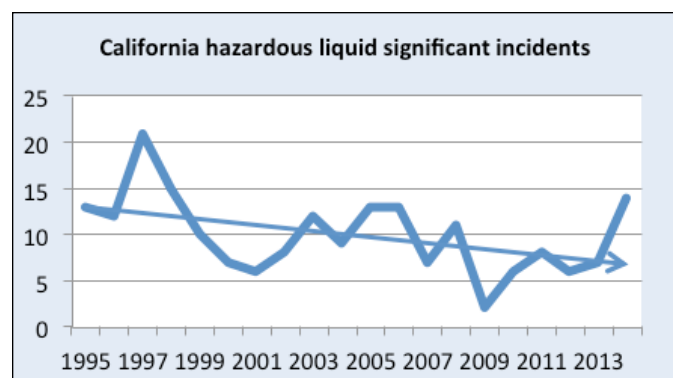
PHMSA maintains a publicly accessible database of reported pipeline incidents.<sup>10</sup> Hazardous liquid pipeline operators are required to file an incident report when there is a release that results in any of the following:

1. death or injury requiring hospitalization;
2. estimated property damage exceeding \$50,000;
3. an unintentional explosion or fire; or
4. a release of 5 gallons or more off of company property

or the pipeline right-of-way or causing water pollution, or a release of 5 barrels (210 gallons) or more confined to company property or pipeline right-of-way and not causing water pollution.<sup>11</sup>

A subset of all these reported incidents are considered 'significant' if they result in items 1, 2, or 3 above or result in the release of 50 barrels (2,100 gallons) or more of hazardous liquids. A further subset of 'serious' incidents are those that result in a death or injury requiring hospitalization.<sup>12</sup>

Here are two graphs that show the numbers of significant incidents each year both throughout the U.S. and in California. As you can see in both cases the number of incidents is relatively small, and the overall trend is a decreasing number of incidents. The troubling part of these graphs is that in both cases over the past 6-8 years this trend seems to be turning around and the numbers of significant incidents are increasing.



But raw numbers of incidents is a pretty rough way of looking at probability because the number of miles of pipelines changes, and the different types of products the pipelines carry have different failure rates. If we take the mileage of pipelines into consideration, and break the type of products these hazardous liquid pipelines carry down into the two main types – crude oil and other products – we start to get a more refined look at probabilities. The following graph shows that crude oil pipelines have a higher incident rate than product pipelines, and that both types of pipelines have a higher incident rate in California than in the rest of the country.

11 See 49 CFR § 195.50 and 195.52 for hazardous liquid accident reporting requirements.

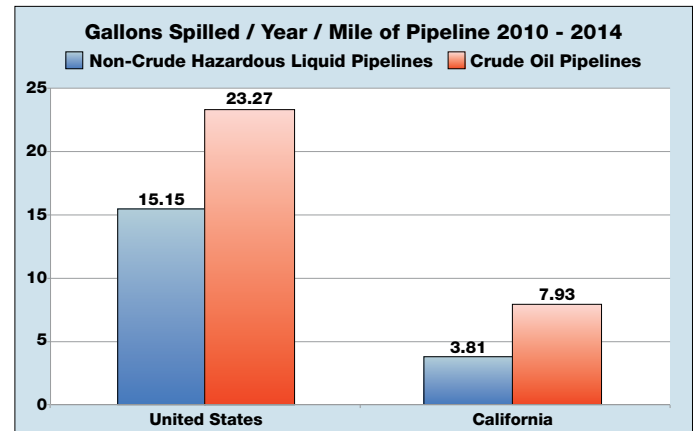
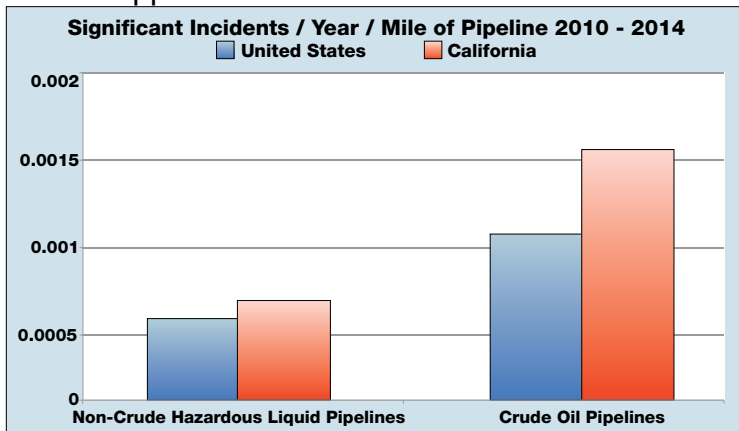
12 For a complete description of these categories for all pipelines, see <http://www.phmsa.dot.gov/pipeline/library/datastatistics/pipelineincidenttrends>

9 California GOV Code § 51010 et. seq.

10 See <http://www.phmsa.dot.gov/pipeline/library/data-stats> for both online pipeline incident data and downloadable files.

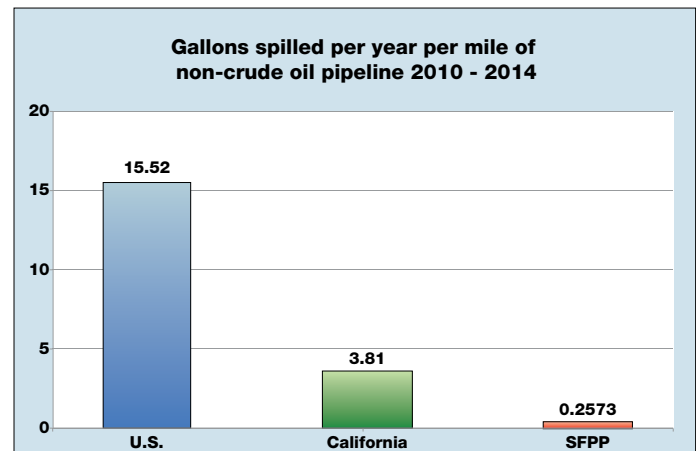
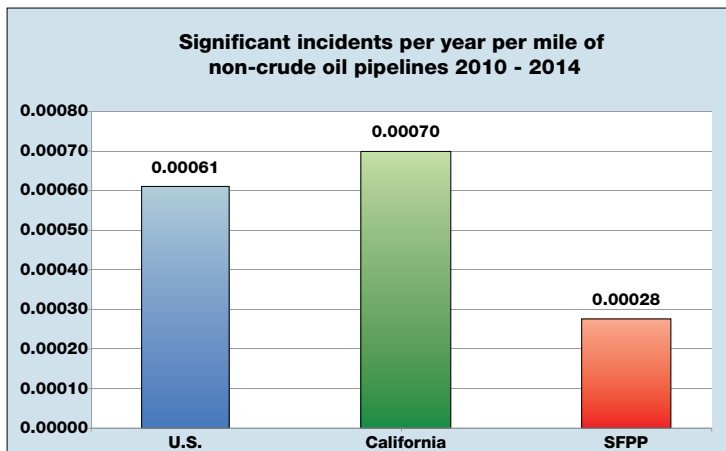


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Incident rate alone does not really portray the consequence of an incident very well, so we also compare the *amount spilled* per incident per mile of pipe (see bar graph on upper right), which makes California's higher rate of incidents look quite different. As you can see what this shows us is that while California may have more incidents per mile of pipeline than the national average, the amount spilled is considerably less than the national average.

It is also possible to use these same rates to look at how individual pipeline companies compare to national averages. For instance, in the following graphs we compare the incident rate per mile of similar pipeline and gallons spilled nationally and in California with the rate of failures and gallons spilled that have occurred on the entire Kinder Morgan SFPP system, a portion of which runs along the Iron Horse Corridor.



As can be seen from these graphs over the past five years the Kinder Morgan SFPP pipeline system has had fewer incidents and spilled far fewer gallons of product than other comparable pipelines throughout the U.S. and in California. SFPP is one of a number of pipeline systems in Contra Costa County, so trying to determine the probability of an incident within the county requires looking beyond the SFPP numbers. If we take the SFPP 5-year average incident rate as one bound (0.00028), and the California 5-year average incident rate as another bound (0.00070), we can use those together with the roughly 350 miles of non-crude hazardous pipelines in the county to estimate the likely frequency of incidents on these pipelines. Currently it could be expected that a significant incident would occur somewhere between once every 4 years (CA average) to once every 10 years (SFPP average).

In Appendix D we have provided a list of all reported incidents in Contra Costa County, and from a look at that list it is clear that the frequency of significant incidents occurring in the county is higher than should be expected from these statistics. In the past five years alone there have been five significant incidents on these types of non-crude liquid pipelines in the County. One possible explanation for this higher rate is the high number of facilities processing fuel in the county. Such facilities are associated with pipelines, and therefore incidents related to the facilities also are incorporated with the pipeline incident statistics. These facilities have very high numbers of fittings, valves, and other appurtenances that tend to have higher failure rates, and often these failures are more contained on company owned property and do not affect the public and private rights-of-way through which longer pipelines travel.<sup>13</sup>

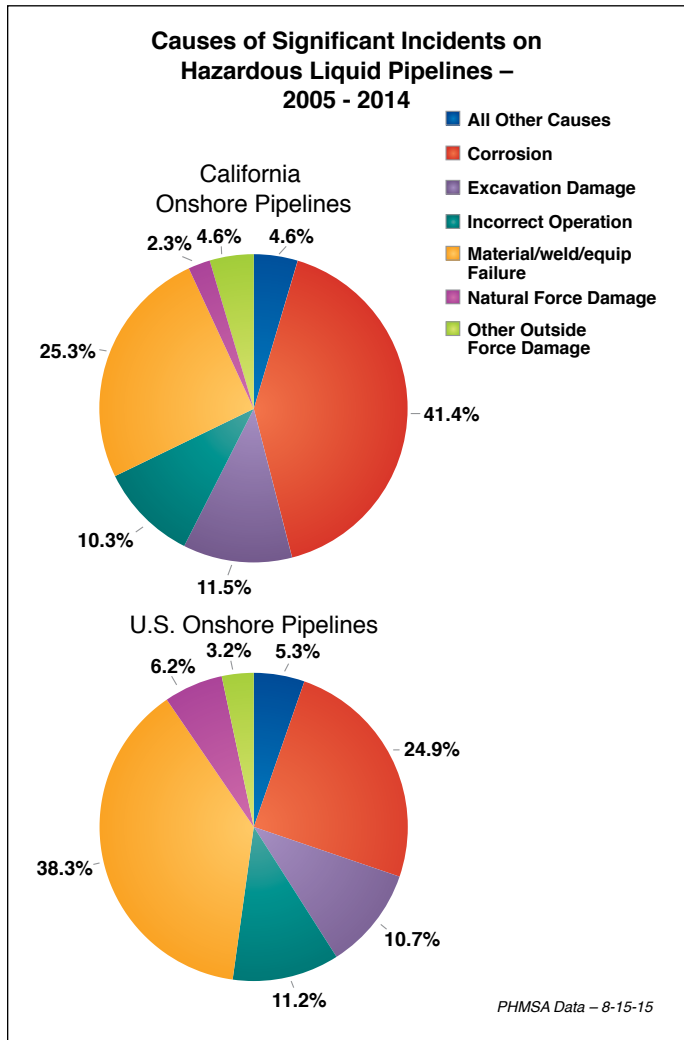
One other data set that provides some information about probability of failures is the cause of such failures. Following is a chart that shows the causes of significant incidents both nationally and in California. California hazardous liquid pipeline incidents appear

<sup>13</sup> OSFM also maintains PHMSA incident data that they further separate for certain public presentations. For example, they may present only incidents occurring on the pipeline right-of-way and leave out those that occur within associated facilities; or they may remove data that includes idled or abandoned pipelines. OSFM does not provide these internal statistics to the public.

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to be more frequently caused by corrosion when compared to those across the US as a whole. Corrosion is the dominant cause of pipeline incidents in California, followed by Material/Weld/Equipment failure. Both of these causes together lead to nearly two-thirds of all hazardous liquid pipeline incidents in both California (67%) and the U.S. as a whole (63%).

These charts and graphs should provide some measure of the probability of a pipeline incident happening and some of



*Example of a Potential Impact Radius of a pipeline incident shown on an aerial map (assumes the pipeline rupture occurs at the center of the circle)*

tell you that the consequences are huge. So what are the possible consequences of pipeline failures, and how can they be quantified?

## Consequences

For natural gas pipelines it is fairly easy to predict the impact zone around a pipeline failure that explodes. There is a formula used in the federal regulations, based on the size and pressure of the pipeline that predicts the “potential impact radius,” and that radius is then used to define some elements of the regulations. The picture in the previous column shows how that radius might appear on a particular pipeline.

For hazardous liquid pipelines predicting the consequence area is much more difficult because of the different products involved and because the products may flow long distances



based on the terrain and whether they reach water. While each pipeline operator is required to do an analysis of whether a leak along any section of the pipeline could affect a high

consequence area, that information is not shared with the public. The best that the public can do is to look at their own area and compare that with the consequences of past liquid failures.



The National Transportation Safety Board investigates many of the most significant incidents and the reports of their investigations can be found at: <http://www.nts.gov/investigations/AccidentReports/Pages/pipeline.aspx>.

We can also look at pictures like the ones above to see what can happen in the unlikely event that a hazardous liquid pipeline fails in a particular area.

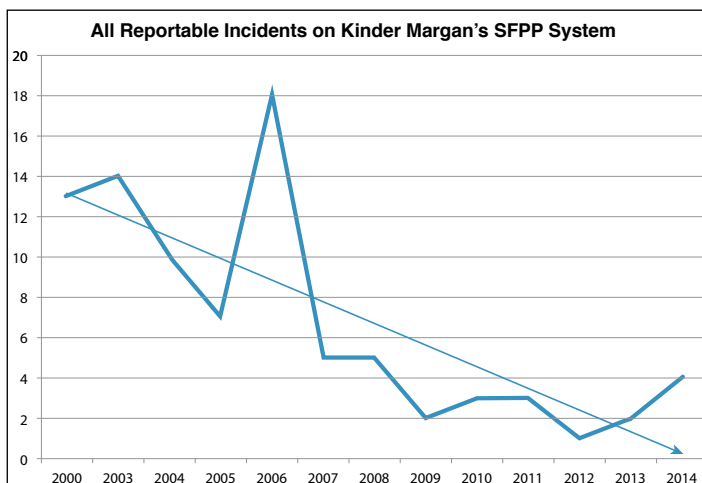
## Past Incidents on the San Jose Line

An incident occurred on the SFPP, San Jose line (LS-16) in Walnut Creek on November 9, 2004, in which five workers were killed and four others significantly injured from a pipeline rupture and explosion. Property damage was sustained nearby including a two-story structure that burned. The pipeline ruptured when it was struck by excavation equipment operating as part of a water supply

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expansion project. The gasoline released from the pipeline was soon after ignited by welders also working on the new water supply pipeline. According to the OSFM Pipeline Failure Investigation Report, several contributing factors led up to the excavator bucket striking the pipeline, including “inadequate line locating, inadequate project safety oversight and communication, and failure to follow the one-call law” (page 14).<sup>14</sup> OSFM made recommendations to Kinder Morgan that included improvements to the way in which employees observe and respond to one-call excavation notifications, and modifications to the company’s Operator Qualification Program related to line locating and excavation notifications.

PHMSA issued a Corrective Action Order (CAO) for Kinder Morgan in 2005 with respect to its entire Pacific Operations unit of hazardous liquid pipeline systems, covering 3,900 miles across six states, and including the SFPP pipeline system and the San Jose line. The CAO was in response to eight accidents within the previous 16 months that released petroleum products into or near high consequence areas. Seven of the eight occurred in California, and two within Contra Costa County: the November 9, 2004 incident mentioned above on LS-16, and a November 7, 2004 incident in Martinez that occurred on LS-47. PHMSA called out “a widespread failure of Kinder Morgan to adequately detect and address the effects of outside force damage and corrosion” (page 2), and ordered the operator to take immediate corrective actions with respect to all Pacific Operations unit hazardous liquid pipeline systems.<sup>15</sup> PHMSA subsequently replaced the CAO with a 14-page Consent Agreement entered into on April 4, 2006 by both parties. The Consent Agreement also delineated specific actions to be taken by Kinder Morgan to improve its pipeline operations and integrity management and to be completed within ten years. On May 11, 2015, PHMSA issued a closure letter to Kinder Morgan, stating that all the required action had been completed and the terms of the Agreement were satisfied, thereby closing the case.<sup>16</sup> In the next column is a graph that shows all reportable incidents on the Kinder Morgan SFPP system including the San Jose Pipeline that runs through Contra Costa County during the period that this corrective action order covered. This graph appears to support that the actions that Kinder Morgan took as part



of the consent decree have helped reduce the number of incidents on this line.

## Pipeline Construction, Operations and Maintenance

Many of the pipelines in place today were constructed before regulations existed for pipelines. Some of the current regulations have to do with ongoing operations and maintenance, and apply to both existing and new lines. Existing ‘grandfathered’ pipelines built prior to 1979 for hazardous liquid lines, or prior to 1968 for gas pipelines, may not have been constructed according to the current regulations. What are pipeline operators required to do to maintain safe pipelines? In this section, we go through basic information, and dive more deeply into some technical issues about which the Alamo community expressed particular concern.

### Construction

The construction phase of pipeline installation is a critically important time to ensure the long-term integrity of the pipeline. Transmission pipelines are most commonly made of steel, and the pipes are fabricated and inspected to meet industry and government safety standards. Differing soil conditions and geographic or population characteristics of the pipeline route will dictate different requirements for pipe size, strength, wall thickness and coating material. Hazardous liquid pipelines must be buried between 18 and 48 inches below the surface, depending on location and soil properties. The prescribed depth must be adhered to at the time of burial, but regulations do not require it to be maintained over time. Operators must use qualified welders, and most welds on the pipe are evaluated and inspected in the field; a proper weld is stronger than the pipe itself.

### Corrosion Protection

Corrosion is a serious issue for all steel pipelines. Without corrosion protection every steel pipe will eventually deteriorate, weaken, and become unsafe. With proper corrosion protection, steel pipelines can remain safely operating for many decades. Pipeline operators use three common methods to control corrosion:

<sup>14</sup> California Office of the State Fire Marshal. Pipeline Failure Investigation Report, Form-11. Kinder Morgan Energy Partners, LS-16 rupture in Walnut Creek, 9 November 2004.

<sup>15</sup> U.S. Department of Transportation, PHMSA Office of Pipeline Safety. Corrective Action Order re: case No. 5-2005-5025H, August 24, 2005.

<sup>16</sup> Multiple technical documents were required to be submitted to PHMSA in accordance with the Consent Agreement, however these are not publicly available. Requests for information through Freedom of Information Act (FOIA) requests (<http://www.phmsa.dot.gov/about/foia>) take many months for PHMSA to respond, and even when documents are received they often contain many redactions. Therefore the public is left with having little to go on to verify how PHMSA has followed through and been given adequate assurances that each item in the Consent Agreement has been completed.



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- Pipeline coatings and linings defend against corrosion by protecting the bare steel from coming in direct contact with corrosive conditions.
- Corrosion inhibitors are substances that may be added to the commodity running through the pipe to decrease the rate of attack of internal corrosion.
- Cathodic protection (CP) systems use direct electrical current to counteract the normal external corrosion that occurs due to soil and moisture conditions. On new pipelines, CP can help prevent corrosion from starting; on existing pipelines, CP can stop existing corrosion from getting worse.



*Cathodic protection test point along the Iron Horse Corridor*

These corrosion control methods may all be used at the same time; pipeline engineers must carefully consider the specific operating conditions, and pipeline and commodity characteristics to maintain the necessary corrosion protection for each particular pipeline segment.

### High Consequence Areas and Integrity Management

Hazardous liquid pipelines that could affect High Consequence Areas (HCAs), which include high population areas, certain drinking water sources, or some ecologically sensitive areas, must prepare integrity management plans and adhere to stricter rules than pipelines outside of such HCAs.<sup>17</sup> For example, pipelines that could affect an HCA have to be physically inspected by the pipeline company on a regular basis, whereas pipelines that could not affect an HCA never are required to be inspected. Currently about 43% of all hazardous liquid pipelines in the U.S. and 68% in California could affect HCAs and fall under these requirements.

Operators subject to integrity management must do a risk analysis of the segments of the pipeline that could affect HCAs, and then implement a plan to inspect and maintain that pipeline segment using methods appropriate to the specific risk factors impacting the pipeline. The minimum re-inspection interval for hazardous liquid pipelines is every five years; the integrity management plan and risk analysis may indicate certain pipelines or pipeline segments need to be re-inspected more frequently. The most commonly performed inspections are done with internal in-line

inspection devices referred to as ‘smart pigs’ that record problems such as corrosion, dents, and gouges as they move through the pipeline. The inspections are typically performed by a third party contractor that also interprets the inspection results, and submits both the results and their interpretation to the pipeline operator in the form of a report. Federal and OSFM regulators may review these internal inspection reports during their own regulatory inspections of a pipeline operator.

Information about which pipeline segments are and are not within HCAs is not easily publicly available. However, it does appear that the vast majority of hazardous liquid pipelines in Contra Costa County are covered under the stricter integrity management rules that apply to the hazardous liquid pipelines that could affect an HCA. The portion of the San Jose line within the county is operating under these rules.

The development and implementation of the Integrity Management Program in the last decade represented a major improvement in risk analysis and ongoing testing and maintenance of pipelines that fall under those requirements. However, with nearly a decade of performance data under the new rules numerous shortcomings in the current Integrity Management Program have been identified by a variety of groups including both PHMSA and the National Transportation Safety Board (NTSB). The NTSB recently released a report<sup>18</sup> that made numerous recommendations for improving Gas Transmission Integrity Management to make it clearer exactly what pipeline operators are required to do. PHMSA appears to be working on some of these improvements for both gas and hazardous liquid pipelines through various inquiries and rule makings, but as of this report no new or proposed rules have been released for public review.

**RECOMMENDATION TO OFFICE OF THE STATE FIRE MARSHAL AND PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION: Adopt regulations to implement NTSB recommendations regarding needed improvements to the Integrity Management requirements.**

**RECOMMENDATION TO OFFICE OF THE STATE FIRE MARSHAL AND PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION: Make information about a pipeline’s HCA designation easily available to the public.**

### Valves

Valves must be installed along the pipeline to control the flow “at locations along the pipeline system that will minimize damage or pollution from accidental discharge, as appropriate for the terrain in open country, for offshore

<sup>17</sup> See 49 CFR § 195.450 and references therein for the definition of a high consequence area, and 49 CFR § 195.452 for the regulations concerning pipeline integrity management in high consequence areas.

<sup>18</sup> Safety Study: Integrity Management of Gas Transmission Pipelines in High Consequence Areas, NTSB, 1/27/2015 <http://www.nts.gov/safety/safety-studies/Documents/SS1501.pdf>

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areas, or for populated areas” (49 CFR § 195.260(c)).<sup>19</sup> Valves must also be “installed in a location that is accessible to authorized employees and that is protected from damage or tampering” (49 CFR § 195.258(a)). Valves must be maintained in good working order at all times, and fully inspected and tested at least twice each year to ensure they are functioning properly.<sup>20</sup>

Some valves have to be operated manually by pipeline personnel, some valves can be operated remotely from a control room, and some valves are designed to operate automatically if certain conditions occur on the pipeline. If a pipeline should fail, how quickly the valves can be closed and the distance between the valves are two of the main determinants for how much fuel is released. PHMSA has concluded that whether an operator should install automatic shutoff valves or remote control valves (operated from a far-away control room) in newly constructed or fully replaced pipelines needs to be evaluated on a case-by-case basis.<sup>21</sup> Existing pipeline operators subject to integrity management rules must evaluate the type and location of valves as part of their risk assessment.<sup>22</sup>

Pipelines that operate according to integrity management (due to their location affecting an HCA) have an additional requirement to take measures to prevent and mitigate the consequences of a pipeline failure. Actions to enhance public safety or environmental protection may be warranted based on a risk analysis of the pipeline segment, and could include installing Emergency Flow Restricting Devices (EFRDs) – additional valves – on the pipeline. In determining whether an EFRD is needed, “... an operator must, at least, consider the following factors – the swiftness of leak detection and pipeline shutdown capabilities, the type of commodity carried, the rate of potential leakage, the volume that can be released, topography or pipeline profile, the potential for ignition, proximity to power sources, location of nearest response personnel, specific terrain between the pipeline segment and the high consequence area, and benefits expected by reducing the spill size” (49 CFR § 195.452(i)(4)). Beyond the specific requirements for valves at certain water crossings and pump stations, etc., noted above, the regulations give the operator wide latitude in determining the necessity and location of additional valves.

Nineteen years ago an Edison, New Jersey accident occurred and it took two and a half hours to shut off the flow of gas

<sup>19</sup> Valves must also be installed in proximity to pipeline facilities and appurtenances, and on both sides of certain water crossings and drinking water reservoirs. See 49 CFR § 195.260 for details.

<sup>20</sup> See 49 CFR § 195.420. This section also contains language about the need for operators to protect valves from unauthorized operation and vandalism, which PHMSA views as doing more than simply chaining and locking the valves.

<sup>21</sup> U.S. Dept of Transportation, Pipeline and Hazardous Materials Safety Administration (2012). Studies for the Requirements of Automatic and Remotely Controlled Shutoff Valves on Hazardous Liquids and Natural Gas Pipelines with Respect to Public and Environmental Safety (ORNL/TM-2012/411). Prepared by Oak Ridge National Laboratory, managed by UT-Battelle for the U.S. Dept of Energy.

<sup>22</sup> See 49 CFR § 195.452(i)(1) and (4).

that fed the fireball due to the lack of a remotely controlled shut off valve. After the 2010 San Bruno tragedy where it took the pipeline operator over an hour and a half to drive to and close a manual valve the NTSB recommended that PHMSA “**Amend Title 49 Code of Federal Regulations 192.935(c) to directly require that automatic shutoff valves or remote control valves in high consequence areas and in class 3 and 4 locations be installed and spaced at intervals that consider the factors listed in that regulation.**” Most recently the spill of at least 20,000 gallons of crude oil into the ocean near Santa Barbara has again reiterated the need for new rules regarding these types of valves to help limit the damage from pipeline failures. PHMSA conducted a study<sup>23</sup> that in 2012 found “**installing ASVs and RCVs in pipelines can be an effective strategy for mitigating potential consequences of unintended releases because decreasing the total volume of the release reduces overall impacts on the public and to the environment.**” PHMSA is working on rule makings that may address this issue, but as of this report no new or proposed rules have been released for public review.

### San Jose Pipeline Valves

Alamo community members have expressed concerns about the type, spacing, vulnerability and maintenance of the San Jose pipeline valves (or EFRDs) along the Iron Horse Corridor. Until recently, a manual valve was exposed above ground with no protection except a chain; that valve was enclosed within a fence following a vandalism incident in June 2015, but the example serves to justify the community concerns about vulnerability and safety. The community also has concerns about the potential volume released if a hazardous liquid spill were to occur, and the degree to which the valves will minimize the spill volume.

The OSFM inspection report discussed earlier describes the Kinder Morgan integrity management and risk



**Manual valve inside protective cage in Alamo along Iron Horse Corridor**

assessment process, some of which focuses on this type of detailed analysis. A key piece of the risk assessment that analyzes EFRDs is the operator’s Preventive and Mitigative Measures analysis performed in order to determine what threats exist on a pipeline, and if additional measures should be implemented to manage those threats. The Preventive and Mitigative Measures analysis may or may not determine the need for an additional Engineering Analysis focused on valves, depending on many factors affecting the pipeline: pipeline segment characteristics, proximity to an HCA, time to detect and isolate a leak, location of nearest response personnel, risk assessment results, and desired capabilities and improvements. An

<sup>23</sup> Oak Ridge National Laboratory, October 31, 2012, [http://www.phmsa.dot.gov/pv\\_obj\\_cache/pv\\_obj\\_id\\_2C1A725B08C5F72F305689E943053A96232AB200/filename/Final%20Valve\\_Study.pdf](http://www.phmsa.dot.gov/pv_obj_cache/pv_obj_id_2C1A725B08C5F72F305689E943053A96232AB200/filename/Final%20Valve_Study.pdf)



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initial Leak Detection System Analysis is completed on each pipeline, determining the maximum potential release volume.<sup>24</sup>

Kinder Morgan evaluated the need for modification to existing valves on the San Jose line in 2010, and considered the following factors: swiftness of leak detection and pipeline shutdown capabilities; type of commodity carried; rate of potential leakage; volume that can be released; topography or pipeline profile; potential for ignition; proximity to power sources; location of nearest response personnel; specific terrain between the pipeline segment and the high consequence area; and benefits expected by reducing the spill size. The San Jose line has an existing computerized leak detection system that uses line balance, flow deviation, volume balance, thermal monitoring, and volume in and out to alert control room staff to potential leaks. After consideration of these factors, Kinder Morgan determined the existing valves and leak detection system exceeded their requirement that a 15-minute response time and isolation of a leak could be assured on the San Jose line.<sup>25</sup>

Kinder Morgan's evaluation necessarily included many assumptions. These are not spelled out in the analysis, but would include such things as how quickly an employee could physically arrive at and close a manual valve, how quickly an operator could install temporary plugs or other means to stop the flow out of the pipe, and how quickly any remote personnel could make a correct decision based on computerized information to shut the pipeline down in the event of a rupture; as well as factors that determine in their eyes what the risks are and what level of risk is acceptable. These assumptions are not transparent to the public, but depending on what is assumed, the outcome of the analysis could vary widely. The assumptions are also necessary to carry out the regulation-required risk analysis and come to conclusions; regulations that require this type of behind-the-scenes decision-making process and lack prescriptive requirements are called performance-based regulations, and they often leave gray areas for the public because we often cannot know what went into the assumptions and decision-making.

Unfortunately, like the implementation of most risk- or performance-based regulations, this Kinder Morgan valve and leak detection analysis does little to eliminate the gray area on this issue. The regulations leave the consideration and determination to each operator in the context of an integrity management plan the public will never see. While the public may not be allowed to see the information used to make risk calculations, the public can make rough calculations of the impacts from a spill based on available information.

<sup>24</sup> This detailed technical analysis on leak detection that informs the pipeline operator's risk assessment is not available to the public.

<sup>25</sup> See page 12 of the OSFM inspection report dated June 2014 for detailed discussion of the San Jose line/LS-16. The report does not clarify how long of a segment of the pipeline would be isolated in this time - that is, it is not clear whether the operator could close the two closest valves on either side of a failure in that time frame, or just two valves at some unspecified distance. Given the time required to get staff to a manual valve and get it closed, a 15 minute time to isolation appears to be very optimistic.

For example, the size of the pipeline means that it holds a little more than 21,000 gallons of product per mile of pipe. If the pipeline should rupture, most all of the product between the rupture site and the next valve that is at a higher elevation than the rupture would drain out between the valves regardless of how quickly the pipeline was shut down or valves were closed, unless the operator is able to install emergency plugs or hot taps very quickly. If the valves are 10 miles apart that could mean that more than 200,000 gallons could be released if the rupture is at the lowest point in that stretch. This figure does not include any additional product continuing to be pushed through the line if valve closing or shut-off is delayed. So Kinder Morgan as part of their risk analysis must have concluded that with the small chance that the pipeline will actually rupture, and their response capabilities, this is an acceptable risk. If they had not come to that conclusion they would have been required to install more valves to decrease the distance and potential spill volume. If informed people in the community were given the same information would they come to the same acceptable risk conclusion? Currently there is no opportunity for the public to review these risk analyses, or to comment on the level of risk to which they are being exposed.

**RECOMMENDATION TO CONTRA COSTA COUNTY BOARD OF SUPERVISORS: Work in coordination with pipeline operators to develop a technical advisory body that can review the integrity management plans (similar to the Santa Barbara County System Safety Reliability Review Committee) and other technical assessments of the pipelines in order to cultivate informed technical expertise in the county and increase public trust and awareness.**

**RECOMMENDATION TO OFFICE OF THE STATE FIRE MARSHAL AND PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION: Adopt stronger regulations requiring automated valves along the lines of the NTSB recommendations.**

### Pipeline Monitoring and Leak Detection

A supervisory control and data acquisition (SCADA) system is a pipeline computer system designed to gather information such as flow rate through the pipeline, operational status, pressure, and temperature readings. This information allows operators to know what is happening along the pipeline during normal operations, and allows for quicker reactions to equipment malfunctions, failures and releases. Some SCADA systems also incorporate the ability to remotely operate certain equipment, including compressors, pump stations, and valves; allowing operators in a control center to adjust flow rates in the pipeline as well as to isolate certain sections of a pipeline. Many SCADA systems also include leak detection systems – called computational pipeline monitoring (CPM) programs – based on the pressure and mass balance in the pipelines. Unfortunately, remote computerized systems are not yet capable of identifying most leaks; PHMSA data from 2010-present show that only about

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11% of U.S. hazardous liquid pipeline significant incidents were initially detected by SCADA or CPM; and that number drops to 2% when looking only at California hazardous liquid pipeline significant incidents in the same timeframe. On-the-ground personnel working for the pipeline operator (as employees or contractors) are the ones most likely to initially identify an incident, but the public and first responders from the local communities are also likely to be the first to identify a significant incident (18% of the time in the U.S.; 25% of the time in California).<sup>26</sup>

In the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011, Congress asked the Secretary of Transportation to provide a report within one year on the technical limitations of current leak detection systems, the practicability of developing standards for the capabilities of leak detection systems, and the costs and benefits of requiring pipeline operators to use such systems. PHMSA completed an in-depth study<sup>27</sup> of leak detection systems in December of 2013. That study found that for hazardous liquid pipelines:

- Emergency responders or a member of the public were currently the most likely means of discovering a pipeline release.
- “There is no technical reason why several different leak detection methods cannot be implemented at the same time. In fact, a basic engineering robustness principle calls for at least two methods that rely on entirely separate physical principles.”
- “External sensors have the potential to deliver sensitivity and time to detection far ahead of any internal system.”

PHMSA has been working on a rule making that may address this leak detection issue for nearly five years now, but as of this report no new or proposed rules have been released for public review.

**RECOMMENDATION TO OFFICE OF THE STATE FIRE MARSHAL AND PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION: Adopt stronger regulations that require better leak detection systems in high consequence areas, and that provide a clear performance standard for computational pipeline monitoring systems.**

### Alamo Technical Pipeline Safety Concerns

Community members raised concerns about a number of specific issues related to pipeline safety on the San Jose pipeline. Pipeline Safety Trust staff also noticed some issues during their visit. This section details technical issues that warrant particular attention.



*The San Jose line inside protective sleeve traveling above ground across a seasonal stream along the Iron Horse Corridor.*

**Earthquakes** – In 2007, the United States Geological Survey collaborated with William Lettis & Associates on a technical report analyzing Northern Calaveras Fault data.<sup>28</sup> This fault bisects Contra Costa County, and is not the only fault impacting ground movement in the area. Residents are concerned that hazardous liquid pipelines are properly protected in the event of an earthquake.

Hazardous Liquid pipeline operators subject to integrity management are required to consider many threats in the risk assessment that is part of their integrity management plan. A number of these pertain to earthquakes and ground movement, though earthquake risk is not mentioned in the regulations as something that requires its own analysis and mitigation. Earthquakes are listed as one factor for an operator to consider in determining whether a pipeline is likely to affect a high consequence area (and therefore be subject to integrity management at all);<sup>29</sup> but for pipelines already clearly affecting a high consequence area (as is the pipeline through Alamo), earthquakes are only included in the context of the broader risk assessment required. For example, in determining the schedule to use in regularly assessing a pipeline segment, geotechnical hazards must be considered;<sup>30</sup> and PHMSA offers further guidance on risk factors that should be considered in the frequency of assessment, including “location related to potential ground movement...”<sup>31</sup> but the regulations do not specify how they are considered, any technical specifications to use when considering their risk, or specific ways to mitigate that risk. When PHMSA inspectors review a California operator’s risk assessment,

<sup>26</sup> See PHMSA Incident Reports. Percentages based on PST analysis of PHMSA HL 2002-2009 and 2010-present incident data files (as of Aug 3, 2015).

<sup>27</sup> Kiefner & Associates, Inc., Leak Detection Study, December 10, 2012, [http://www.phmsa.dot.gov/pv\\_obj\\_cache/pv\\_obj\\_id\\_4A77C7A89CAA18E285898295888E3DB9C5924400/filename/Leak%20Detection%20Study.pdf](http://www.phmsa.dot.gov/pv_obj_cache/pv_obj_id_4A77C7A89CAA18E285898295888E3DB9C5924400/filename/Leak%20Detection%20Study.pdf)

<sup>28</sup> Kelson, Keith I. and Sundermann, Sean T. Digital compilation of Northern Calaveras Fault Data for the Northern California Map Database: Collaborative Research with William Lettis & Associates, Inc., and the U.S. Geological Survey. October 2007.

<sup>29</sup> See 49 CFR § 195 Appendix C I.B.(12)

<sup>30</sup> See 49 CFR § 195.452(e).

<sup>31</sup> See 49 CFR § 195, Appendix C. II.A.(11)



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they would expect to see seismic-related activity (ground movement, unstable soils, landslides, etc.) listed as a threat, and if not, they would dig deeper.<sup>32</sup> In the 2011 updates to the federal pipeline safety laws, Congress specifically included “seismicity of the area” as one threat that a pipeline operator must consider when evaluating threats to a pipeline segment under Parts 192 and 195 of Title 49.<sup>33</sup>

We saw no evidence in our review of the OSFM report on Kinder Morgan’s integrity management program that earthquakes factored in to their risk assessment. They did list one action item for most of the intrastate pipelines in the county including the San Jose line that relates to earthquake activity (“monitor wash outs and unstable slopes”), and there may be more listed in the integrity management plan of the operator that is not available for the public to view.

Pipelines worldwide have generally performed relatively well in past earthquakes,<sup>34</sup> and ‘natural force damage’ (the cause category under which earthquake-related pipeline failures would fall) is the cause of relatively few pipeline failures nationwide (7%) and in California (2%).<sup>35</sup> However both old and new pipelines can sustain damage from earthquakes that is “typically concentrated in areas of unstable soils with permanent ground deformation (PGD) and/or liquefaction, including at river crossings and landslides,” according to an *Earthquake Risk Study for Oregon’s Critical Energy Infrastructure Hub* submitted in 2012.<sup>36</sup> A technical handbook on seismic risk analysis stresses the importance of estimating the extent of permanent ground deformation in assessment of pipeline system vulnerability: “In particular, adequate knowledge of site-specific soil and groundwater conditions is critical to the success of the design and installation of pipelines, as well as in predicting its anticipated performance under field conditions” (page 692).<sup>37</sup>

Both the technical handbook and the Oregon report list options for mitigation measures to improve the performance of a pipeline. The categories of mitigation measures as summarized by the handbook are: “(a) avoid the hazard by relocation; (b) isolate the pipeline from the hazard; (c) accommodate the hazard by strengthening the pipeline or increasing the flexibility; and (d) mitigate the hazard using ground improvement” (page 702). The Oregon study states mitigation options as: “soil improvement, increasing the load

32 Correspondence with PHMSA Pipeline Safety Western Region Office CATS staff, August 2015.

33 Section 29, Pipeline Safety, Regulatory Certainty and Job Creation Act of 2011.

34 Wang, Yumei, Bartlett, Steven F., and Miles, Scott B. *Earthquake Risk Study for Oregon’s Critical Energy Infrastructure Hub* (Final Report to Oregon Department of Energy & Oregon Public Utility Commission). Oregon Department of Geology and Mineral Industries, August 2012.

35 See PHMSA data shown in graphs earlier in report entitled “Causes of HL Significant Incidents.”

36 Wang, et. al. IBID (Page 82).

37 Honegger, D.G. and Wijewickreme, D. (2013). Seismic risk assessment for oil and gas pipelines. In Tesfamariam, S., Goda, K. (Eds.), *Handbook of Seismic Risk Analysis and Management of Civil Infrastructure Systems* (pages 682-715). Cambridge: Woodhead Publishing Limited, 2013.

carrying capacity of the pipe system, reducing the friction between the pipe and soil, relocating the pipe, anchors to prevent uplift from buoyant forces, or special pipe joints or fittings that allow greater joint deflection, extension, or compression” (Page 84).

Seismic vulnerability studies can be conducted on pipelines or pipeline segments to assess pipeline performance and suggest mitigation measures appropriate to the specific situation. We found no evidence that Kinder Morgan or any other operator has conducted such a study related to the pipelines in Contra Costa County.

**RECOMMENDATION TO PIPELINE OPERATORS:**  
**Contract for an independent technical seismic vulnerability study on HCA pipelines affected by potentially active faults to feed into the pipeline risk analysis, and make the study available to the public.**

**Iron Horse Corridor Above-Ground Stream Crossings** – In two places along the Iron Horse Corridor in Alamo, the San Jose line spans seasonal streams above-ground. (see photo on page 19) Community members have raised concerns about the adequacy of the span supports, potential vulnerability of these spans and the overall safety of these crossings.

Both the above-ground pipeline spans contain a metal sleeve over the pipeline itself, and it is this sleeve that is secured to the supporting infrastructure. These types of above-ground pipeline spans are fairly common, though there are many different types of supportive infrastructure that can secure the pipeline in these situations. One additional concern with supported above-ground spans is the erosion that can occur on either side, potentially increasing the length of the unsupported portion of the span. Some different types of above-ground supports are depicted in the accompanying photos.



*Examples of other pipelines crossing stream areas in California and Washington States.*

## Appendix A

### Land Use Planning and Pipelines

For the siting of nearly all new pipelines, the pipeline company decides on a general route they prefer for their pipeline, and possibly some alternative routes. Once they feel fairly confident with the feasibility of their chosen route, the more formal process with various government agencies begins. That process is not consistent for various types of pipelines, but varies greatly based on the type of pipeline and where it is to run.

#### **Example of California local authority for new and replaced pipelines: Santa Barbara County**

Santa Barbara County requires pipeline operators to submit a Development Plan permit for new and replaced pipelines, often in conjunction with a Conditional Use Permit (if located in the Coastal Zone and impacting environmentally sensitive areas).<sup>1</sup> The permit review process includes analysis of submitted information (maps, mitigation measures, emergency response plan, etc.) against standards, and requires specific findings as well as an Environmental Impact Review in accordance with the California Environmental Quality Act (CEQA).<sup>2</sup> Pipeline operators with existing lines may need to obtain a grading permit prior to digs that expose pipe,<sup>3</sup> and operators with a development permit on file submit results of any anomaly digs to the county. Santa Barbara County is unique in their use of a System Safety Reliability Review Committee<sup>4</sup> made up primarily of technical staff who work in collaboration with pipeline operators (and other oil and gas facility operators) to review project information and operations.

1 See Santa Barbara County Land Use & Development Code, Article 35.5.

2 See CA Public Resource Code § 21000 et. seq.

3 See Santa Barbara Grading Code (Chapter 14).

4 For more information on the System Safety Reliability Review Committee, including committee makeup, minutes, and agendas, see <http://www.sbcountyplanning.org/energy/permits/ssrrc.asp>.

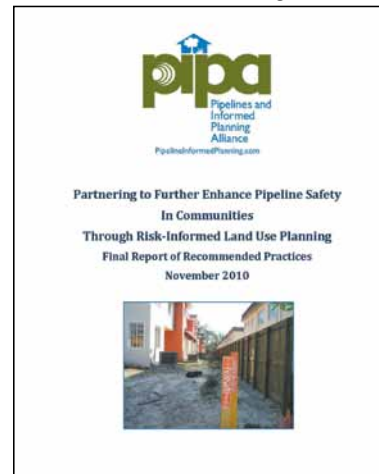
Interstate natural gas pipeline companies must apply to the Federal Energy Regulatory Commission (FERC) for construction and route approval.

There is no comprehensive federal permitting process for the routing of hazardous liquid pipelines or of intrastate natural gas pipelines. Assuming the pipeline is wholly within the U.S., the responsibility for approval of the pipeline route falls on the individual states. Since California does not have a statute at the time of this writing that addresses pipeline routing and siting, the responsibility falls to the regular land use authority of local governments along the pipeline route, some of which exercise this authority, and others do not.

Local governments can also coordinate and regulate new development near existing pipelines with their land use authority. Many pipelines existed prior to development, and

housing density has increased in many areas near pipelines that once were predominantly undeveloped rural areas. Local governments can enact regulations governing the type of buildings and construction that can occur near existing pipelines, requiring consultation with the pipeline operator, establishing setbacks or enacting a variety of other land use permit requirements.

In 2010, PHMSA published the final report of the Pipelines and Informed Planning Alliance (PIPA), a three-year effort

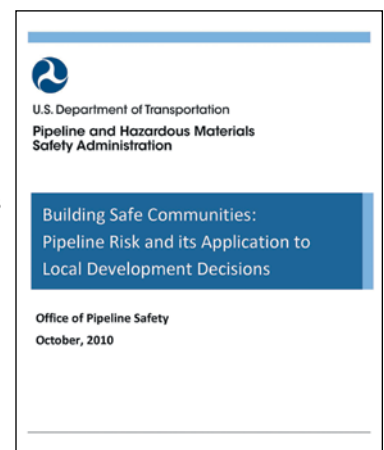


to provide information and recommendations on the types of tools local governments can use to regulate new development near existing pipelines. Forty-three recommended practices are contained in the report, and twenty-nine of them speak specifically to local governments about things they can do to encourage safety near transmission

pipelines. Recommendations stress: the need to have a relationship with local pipeline operators that includes open communication, incorporating the existence of pipelines into planning processes and infrastructure projects, and the importance of safe excavation practices. One example of a specific recommendation is the use of consultation areas or zones that require early consultation among stakeholders when any development is proposed within a specified distance from a transmission pipeline. All recommendations and associated documents can be found through the PIPA link at: <http://primis.phmsa.dot.gov/comm/pipa/LandUsePlanning.htm>.

Contra Costa County local government agencies also have a role to play in pipeline safety and oversight. Federal and state regulations generally preclude local governments from adopting any regulations that require a pipeline operator to take any actions regarding the safe operation of a pipeline. That said, pipeline operators might willingly enter into development

agreements or mitigation agreements that include additional safety aspects in certain situations, in response to local conditions. There are things that local governments do that are not precluded, such as negotiated rights-of-way agreements, spill and emergency preparations and response, or land use and zoning provisions. Contra Costa County agencies are actively involved in some of these areas, and minimally involved in others.





## Appendix A

### Right-of-way Franchise and Easement Agreements

Easements and franchise agreements specify information about the access the pipeline operator has to land that is owned by private parties or government entities. They are typically negotiated agreements in exchange for payment, and lay out allowed and disallowed activities for the pipeline operator and the landowner within the area covered by the agreement. The area covered may be narrow or wide, depending on the pipeline and the context at the time the agreement was signed.

When a pipeline goes through county-owned public property or public rights-of-way, Contra Costa County Public Works Department has authority over the granting of franchise or easement agreements. Agreements between the county and pipeline operator must proceed in accordance with the Pipeline Franchise Ordinance.<sup>38</sup> Ordinances that establish regulations for granting these franchise agreements have been in place since 1964, with amendments in 1992 and 2013. As of this writing, the public works department staff is working to get all existing franchise agreements updated to be consistent with the most recent ordinance. The pipeline franchise ordinance covers the unincorporated portions of the county, and individual cities negotiate easements and franchise agreements according to their own ordinances or policies.

There are examples from around the country where local governments through these franchise agreements have been able to obtain safety improvements and greater liability insurance and indemnification than is required by state or federal rules.<sup>39</sup>

### The Iron Horse Corridor – Multiple Uses

Some pipelines were in place prior to the first county franchise ordinance and operate according to easements that were already in place. This is the situation with most of the Kinder Morgan SFPP- San Jose line along the Iron Horse Corridor, which was constructed in the mid-1960s during the time that the Southern Pacific Railroad owned and operated rail lines.

The entire Iron Horse Corridor right-of-way varies from about 30 to 100 feet in width along the route, and contains numerous utilities and facilities through easements, license agreements, and leases, including the easement for the SFPP - San Jose pipeline, which only covers a portion of the corridor right of way. Because of the history of the San Jose line and the Iron Horse Corridor, much of the land through



*Multiple utilities exist in the Iron Horse Corridor*

which the pipeline travels is public and not private land, so the predominance of the easement area is covered by a single agreement between the pipeline operator and the county, rather than many individual easements between the pipeline operator and private property owners. That easement agreement specifies the property involved (generally a strip of land 10 feet wide, specifically described in the easement documents), and the right of the operator to construct, reconstruct, renew, maintain and operate the pipeline and appurtenances on the easement.<sup>40</sup>

Landowners have in the past encroached onto the Iron Horse Corridor with fence lines, landscaping, and other property improvements. This type of activity presents a potential safety threat to the pipeline and is against the law.

The Elder California Pipeline Safety Act of 1981 specifies in § 51014.6:

“(a) Effective January 1, 1987, no person, other than the pipeline operator, shall do any of the following with respect to any pipeline easement:

(1) Build, erect, or create a structure or improvement within the pipeline easement or permit the building, erection, or creation thereof.

(2) Build, erect, or create a structure, fence, wall, or obstruction adjacent to any pipeline easement which would prevent complete and unimpaired surface access to the easement, or permit the building, erection, or creation thereof.

(b) No shrubbery or shielding shall be installed on the pipeline easement. This subdivision does not prevent the revegetation of any landscape disturbed within a pipeline easement as a result of constructing the pipeline and does not prevent the holder of the underlying fee interest or the holder’s tenant from planning and harvesting seasonal agricultural crops on a pipeline easement.

(c) This section does not prohibit a pipeline operator from performing any necessary activities within a pipeline easement, including, but not limited to, the construction, replacement, relocation, repair, or operation of the pipeline.”

Numerous other utilities share the right-of-way with the hazardous liquid pipeline. Operators install utility lines according to specific standards that specify vertical and horizontal separation distances that vary depending on the type of utility.<sup>41</sup> Colocation of energy transmission systems within designated energy ROWs is common, but may result in some interference between the systems or other hazards that would not exist except for the physical proximity of the two transmission systems.

40 There are gaps in the easement and memoranda documentation the Trust was able to acquire from the county and Kinder Morgan. We don’t know if this reflects missing documentation or uncertainty about the pipeline right-of-way, but recommend there be a complete set of documentation describing the right-of-way and property affected that is available to the public.

41 See 49 CFR § 195.250; also see operator guidelines for additional specifics on horizontal and vertical separation distances.

38 Governed by Contra Costa County Code, Title 10, Chapter 1004-2.

39 See examples of these franchise agreements at: <http://pstrust.org/about-pipelines1/local-governments/franchise-agreements/>

## Appendix A

Encroachments into the Iron Horse Corridor may or may not encroach into the portion of the corridor over which Kinder Morgan or other utilities hold an easement. Assessing and remedying these encroachments will require coordination among all parties with ownership interests in the corridor.

The community is involved in the management of the corridor, and has numerous public participation opportunities with regard to planning its use.<sup>42</sup> Keeping the pipeline and pipeline safety in mind during these public discussions can serve to remind nearby residents that the Iron Horse Corridor needs to be respected as a protective buffer for the utilities within it, as well as enjoyed for its recreational offerings.

**RECOMMENDATION TO CONTRA COSTA COUNTY BOARD OF SUPERVISORS: Adopt clear policies and deterrents regarding preventing encroachment including the review of setback variances by municipal advisory councils or committees and department staff, so that properties and vegetation along utility corridors do not encroach on pipelines. Ensure the single staff point-of-contact for citizens with concerns about multiple utility issues and right of way questions has technical training on safety concerns, adequate resources to conduct regular and broad community outreach (especially along the Iron Horse Corridor), and resources to work in close coordination with other related departments and advisory groups.**

**RECOMMENDATION TO CONTRA COSTA COUNTY PUBLIC WORKS: Ensure county has complete and accurate records of corridor and right of way locations. Continue to coordinate with Kinder Morgan and other utilities on resolution of encroachments into pipeline Rights of Way.**

**RECOMMENDATION TO PIPELINE OPERATORS: Consistently undertake assessments of existing Right of Way encroachments to determine whether there are safety implications. Coordinate with Contra Costa County Public Works to resolve encroachments with neighboring property owners.**

### Land Use and Zoning Provisions

Land use and zoning authority in the unincorporated portions of the county lies within Contra Costa County Department of Conservation and Development (DCD)

<sup>42</sup> The East Bay Regional Park District covering Alameda and Contra Costa Counties manages the Iron Horse Trail (with an elected board of directors and an appointed advisory committee), and the Contra Costa County Board of Supervisors appoints an IHC Advisory Committee with representation from communities along the corridor. The IHC Advisory Committee has embarked on various projects that have involved additional public input opportunities, including the creation of the Management Program and its Landscape Element in 2000.

jurisdiction. The county does not address pipelines in the General Plan goals or policies. Apart from limited involvement with certain high-hazard proposals (as rated by Hazardous Materials Program staff), the county does not review pipelines under their land use authority. They have a specific exemption for pipelines and other utilities stating:

*The use of land for rights-of-way for the construction, maintenance and repair of public utilities and publicly owned utilities and for privately owned pipelines for the transportation of oil, gas, water, and other substances transportable by pipelines, is not regulated or restricted by Divisions 82 and 84. Accessory and appurtenant structures forming a part of public utilities, publicly owned utilities and pipelines are not regulated or restricted by Divisions 82 and 84, except for setback regulations. (Contra Costa County Zoning Code § 82-2.010)*

Divisions 82 and 84 referred to in the above citation are, respectively, the General Regulations and Land Use Districts divisions of the County Zoning Code.<sup>43</sup>

There are examples in California of other counties that do not exempt privately owned transmission pipelines from land use regulations (see sidebar on Santa Barbara County on page 21). Using land use and zoning authority to require permits for HL pipeline construction, replacement, modification, or abandonment may allow a local government to conduct California Environmental Quality Act (CEQA) review if warranted, and negotiate conditions and mitigation requirements with certain permits.

**RECOMMENDATION TO CONTRA COSTA COUNTY BOARD OF SUPERVISORS AND DEPARTMENT OF CONSERVATION AND DEVELOPMENT: Consider adding goals and policies to the General Plan,<sup>44</sup> and amending Contra Costa County Zoning Code 82-2.010 so that all privately owned pipelines and appurtenant structures are not exempt, but rather only privately owned gas distribution pipelines under 12" in diameter are exempt from the General and Land Use District regulations (divisions 82 and 84).<sup>45</sup> Consider additional ordinance(s) pertaining to zoning and land use permitting for hazardous liquid pipelines and possibly also intrastate gas transmission pipelines that are proposed for construction, replacement, modification, or abandonment.**

<sup>43</sup> See [https://www.municode.com/library/ca/contracosta/codes/ordinance\\_code?nodeId=TIT8ZO](https://www.municode.com/library/ca/contracosta/codes/ordinance_code?nodeId=TIT8ZO)

<sup>44</sup> See the Trust's Local Government Guide to Pipelines for specific suggestions about what kind of General Plan (also called Comprehensive Plan) language may be used relating to pipelines and pipeline safety.

<sup>45</sup> Language can be written specifically to exempt most distribution pipelines. For example, "only gas distribution pipelines under 12" in diameter or under an operating pressure of 80 psig are exempt from the zoning code provisions."

## Appendix A

### Damage Prevention and Public Awareness Programs

A nationwide utility locator system is available for free in every state, to anyone planning hand or machine excavation, in order to prevent damage to pipelines and other utilities. By calling 811 at least two working days before digging, a utility locator will come identify and mark buried utilities, including cables and pipelines for fuel, water and sewer. This is a requirement by law in California (see GOV Code § 4216 et. seq.) with civil penalties associated with noncompliance, yet California lacks enforcement for this law.<sup>46</sup> Pipeline operators must participate in this program. In communities that do not have other types of consultation zones or setback regulations, the “One-Call ticket” (as operators refer to the resulting notification from someone calling 811) is likely to be the first notice the pipeline operator has that someone is intending to dig close to their pipeline. Kinder Morgan has a robust damage prevention program, with membership in the Common Ground Alliance, staff training, and staff encouraged to actively follow up on any observed violations.

Pipeline operators also are required by federal law to have a Public Awareness Program.<sup>47</sup> This program must describe what the operator does to inform the public of the presence of the pipeline and potential hazards, and how they do it. For instance, the operator must identify and communicate with local emergency personnel, government officials, school districts, businesses, and the public, and tell them specific things such as how to recognize pipeline location markers, what kind of precautions they should take, what kind of properties the commodity being transported in the pipeline has, and how to recognize and respond to a pipeline emergency.

**RECOMMENDATION TO THE STATE OF CALIFORNIA: Enforce excavation damage prevention laws. Currently authority is held with the Attorney General’s office, but there is not adequate staffing or resources to respond to notifications of alleged violations or to investigate. Other agencies respond on a fragmented basis depending on the damaged utility involved.**

#### Local Opportunities for Public Involvement, Education and Awareness

The Contra Costa County Hazardous Materials Ombudsman is a useful single point of contact for information regarding hazardous materials including pipelines; part of the ombudsman’s role is to help people in the county be good advocates for themselves by providing information. The public can also attend Hazardous

<sup>46</sup> California is one of a few states without enforcement for excavation damage prevention – see PHMSA 2014 state damage prevention program characterization.

<sup>47</sup> For hazardous liquid pipelines, see 49 CFR § 195.440; for gas pipelines, see 49 CFR § 192.616.

Materials Commission meetings or apply to be one of the 13 members (some of these are public seats).

All of the agencies discussed in this report also provide additional information on their websites (those addresses are listed in Appendix A).

The county also has a Community Awareness and Emergency Response (CAER) group, which is a non-profit public benefit corporation of public emergency response agencies, local government officials and facilities and businesses that use, store, handle, produce or transport hazardous materials. All of these entities can be members of CAER; membership is voluntary, and while most of the waterfront industrial facility operators are members, Kinder Morgan is not. CAER works to actively enhance public health and safety, and includes public representatives on its board of directors. CAER efforts focus on the waterfront areas from Richmond to Antioch where industrial facilities are concentrated but their expertise and public outreach model also support inland areas of county affected by hazardous materials transport through pipelines.

The Contra Costa County Board of Supervisors raised questions and concerns about Kinder Morgan intrastate pipelines in a letter to OSFM dated March 11, 2014. In response to this letter, OSFM staff inspected the Kinder Morgan Integrity Management Program related to their intrastate pipelines in Contra Costa County (including the San Jose line / LS-16) in June 2014. This inspection included a review of integrity management procedures, inspections, and associated repairs for the eleven Kinder Morgan intrastate pipelines operating in Contra Costa County, and resulted in a report submitted to the county in the spring of 2015 that details the process Kinder Morgan undergoes to ensure the integrity of these lines. The county has this information, but having this information is not the same as having a clear process and expertise in place to analyze it and make recommendations in coordination with the operators and OSFM.

**RECOMMENDATION TO OFFICE OF THE STATE FIRE MARSHAL: Make information – maps, incident and inspection information – accessible to the public by posting it online.**

**RECOMMENDATIONS TO PIPELINE OPERATORS: Participate as members in CAER with consistent attendance at quarterly meetings by appropriate management staff. Work in coordination with the Board of Supervisors and appropriate county departments to develop a technical advisory body that can review the integrity management plan (similar to the Santa Barbara County System Safety Reliability Review Committee) and other technical assessments of the pipeline in order to cultivate informed technical expertise in the county and increase public trust and awareness.**



## Appendix A

# Emergency Response, Spill Response & Prevention

Oil spill prevention and emergency response authority differs depending on what area the spill is likely to affect (coastal or inland), whether it is part of a larger facility (e.g., a refinery), and what part of the process is the focus (prevention, preparedness, environmental spill response, or emergency assistance to communities). When a spill occurs, many state, federal and local agencies work together under a 'unified command' structure on clean-up and response.

## Hazardous liquid pipeline spill response agencies in California

The U.S. EPA has authority to direct cleanup and rehabilitation of areas affected by spills of hazardous liquid releases. The U.S. EPA can also bring actions for civil penalties under the Oil Pollution Act against operators for each barrel of oil where releases have entered navigable waters, as defined under the Clean Water Act. Additional recovery is available to the state and federal governments for damages done to natural resources by a spill.

The California Department of Fish and Wildlife, Office of Spill Prevention and Response (OSPR) also exercises jurisdiction over oil spills. This authority was expanded greatly in 2014 to cover all state surface waters at risk of oil spills from any source, including pipelines and production facilities.<sup>48</sup> The development of the regulations for this expanded statutory authority is underway as of this writing, with OSPR coordinating with local, state and federal government along with industry and non-governmental organizations to do so. OSPR requires operators to submit spill response plans for approval, and conducts spill drills (they are authorized to conduct both announced and unannounced drills). Operator spill response plans for pipelines that could effect marine waters are currently posted on the OSPR website, and presumably similar plans will be made available to the public in the future for those operators with pipelines that could effect any waters of the state once the new regulations are completed and implemented.

The California Environmental Protection Agency (CalEPA) regulates hazardous waste and materials through a Unified Program that incorporates a number of local and regional Certified Unified Program Agencies (CUPAs) for implementation, of which the Contra Costa County Health Services Department is one. In general, CUPAs are most interested in facilities handling hazardous waste and materials, and not focused at all on the transportation of those materials. However if an incident occurs and hazardous materials spill, a local CUPA will be involved in the response to that spill, whether it comes from a facility or a pipeline. More information about the CUPA role is included in the following section focused on Contra Costa County.

All pipeline operators are required to have an emergency response plan, and to share that plan with local first responders. The plan should contain detailed information about what the pipelines hold, and how pipeline company personnel and emergency response agencies such as fire and sheriff or police departments will implement pre-planned responses in case of an emergency. PHMSA assesses the written procedures contained in these plans during their inspections of interstate operators, and OSFM reviews portions of the plans during their standard inspections (once every five years) for intrastate pipelines, but operators are not required to submit these plans to either PHMSA or OSFM.

Operators that fall under the jurisdiction of the federal Oil Pollution Act, whose pipelines may significantly harm water bodies if there were to be a release of oil or a refined product, must also prepare a facility response plan, sometimes called a spill response plan, to outline how a release from the facility will be responded to and where response resources will be stored near the pipeline and where staff and contractors will be responding from. These plans must meet the requirements of federal law and regulations and be approved by PHMSA.<sup>49</sup>

Pipeline accident investigations occur separately from the spill clean-up and response. The National Transportation Safety Board conducts accident investigations of some of the most significant pipeline incidents. PHMSA may conduct a pipeline failure investigation on a pipeline within its jurisdiction, depending on the cause or failure mode, the severity of the consequences, and the history of the pipeline system. OSFM conducts its own investigations, in accordance with Section 13107.5 of the California Health and Safety Code. Other agencies may also conduct investigations, including the California Department of Industrial Relations, Division of Occupational Safety and Health, or a local Certified Unified Program Agency.

Following the May 2015 spill onto Refugio Beach near Santa Barbara, additional changes were proposed to California laws to increase the usage of automatic shut-off systems and improve leak detection technology on hazardous liquid lines, as well as to improve the response times to begin clean up efforts by allowing local fishing boats to be trained as spill responders. At the time of this publication, it was not yet certain whether either of these bills would pass.

## Contra Costa County Spill and Emergency Preparations and Response

Contra Costa County Health Services Department (HSD) is designated as a Certified Unified Program Agency (CUPA), and their Hazardous Materials Program has been involved in protecting the community from hazardous materials releases for well over two decades. The state and county rules governing hazardous materials apply very little to pipelines, as the state hazardous materials law specifically exempts the *transportation* of hazardous materials.<sup>50</sup> However once hazardous materials are released from a pipeline, they are no longer considered

<sup>48</sup> Senate Bill 861 authorized the expansion and provided the additional statutory and regulatory authority, for the prevention, preparedness and response activities in the new inland areas of responsibility. See also Cal. GOV Code § 8670.

<sup>49</sup> See 49 C.F.R. Part 194.

<sup>50</sup> Specific authority given to the HSD as a CUPA is described in CA HS Code, § 25404 and § 25531 et. seq.; the Contra Costa County Industrial Safety Ordinance is found in CCC Code, Title 4, Chapter 450.

## Appendix A

to be part of the transportation system. In concert with these rules, the Hazardous Materials Program concerns itself with all storage and processing of hazardous materials (including at water treatment facilities, refineries, and the like), but pipelines mainly draw their attention once the hazardous materials are no longer part of the transportation system, i.e., there is an incident where oil is spilled. All releases of hazardous materials (including pipeline releases) are reported on by the Hazardous Materials Program, and available on the department's website.<sup>51</sup>

The Health Services Department has a designated staff Hazardous Materials Ombudsman whose job is to respond to questions and concerns from the public, as well as independently and impartially conduct investigations, solve problems, and make recommendations regarding the program. The Department also supports the Hazardous Materials Commission, a group consisting of 13 appointed members representing a diversity of stakeholders. The Commission is tasked with advising the Board of Supervisors on hazardous materials planning, management, and implementation, while obtaining broad public input and working to build consensus.<sup>52</sup> The Health Services Department incorporate concerns with pipelines along with facilities as part of a broad focus on protecting the community from dangers of hazardous materials.

Contra Costa County is highly populated, and many people live and work in close proximity to the pipelines in the region. A dozen schools are located in very close proximity to the Kinder Morgan pipeline along the section of the Iron Horse Corridor from Concord to San Ramon. While individual schools have emergency or crisis plans in place, we did not see mention of the unique hazard presented by proximity to the pipeline if a pipeline incident were to occur. The California Department of Education (CDE) offers useful guidance to Local Educational Agencies (i.e. school districts and other related entities) in siting new facilities; one piece of this guidance is their "Guidance Protocol for School Site Pipeline Risk Analysis" which is a tool to aid Local Educational Agencies and the CDE in evaluating the suitability of new school sites located near pipelines as defined in the regulations.<sup>53</sup> CDE also offers guidance under their "Potential Pipeline Hazard Mitigation/Management" heading, including suggestions for reducing the probability of a pipeline product release and for reducing the severity of consequences of pipeline releases on schools.<sup>54</sup>

These resources could be expanded to offer mitigation and modernization recommendations for existing schools in proximity to pipelines, looking at evacuation routes, coordination with local first responders and pipeline operators, and education of individual school staff using resources such as the School Pipeline Safety Partnership offered by the Danielle

Dawn Smalley Foundation.<sup>55</sup> In addition, the Contra Costa County Office of Public Education maintains online resources on emergency preparedness,<sup>56</sup> and the Contra Costa County CAER has a *Model Emergency Plan for Schools*,<sup>57</sup> both of which can be used as additional resources when developing a comprehensive emergency or crisis plan. These resources do not specifically mention the potential hazards of oil and gas pipelines as something to learn about and pay attention to, or as a potential risk for which to plan and develop mitigation measures, though they do provide helpful guidance for the important process of emergency planning.

At a minimum, those agencies who help schools develop safety plans should coordinate with one another (E.G. school districts, the CA Department of Education, county Office of Public Education, and CAER) and suggest each crisis plan include the following information about pipelines:

- Where is the pipeline? (include it in any maps, and specify distance from school facilities)
- What pipeline markers look like.
- Name of pipeline operator, product transported, and both emergency and non-emergency contact information for a pipeline operator representative.
- How and where to evacuate in a pipeline emergency, including routes that avoid pipelines and pipeline rights-of-way.
- Overview of the indications of a pipeline emergency.

At least one of the schools adjacent to the Iron Horse Corridor and Kinder Morgan pipeline has no access to emergency services or evacuation except via a single road that crosses the pipeline. Rancho Romero Elementary School is located in Alamo, and can only be reached via Hemme Road off of Danville Boulevard by crossing over the pipeline. In the unlikely event that a pipeline incident occurs adjacent to the school in such a way as to block the Hemme Road access, numerous problems could arise, as all road access to and from the school would be blocked. All emergency services are on the other side of the pipeline; the current relocation site listed in the school's crisis plan is the Creekside Community Church, also on the other side of the pipeline. The pipeline is not depicted on the emergency map for the school, and is not mentioned in the safety plan where ingress/egress is discussed, or anywhere else in the crisis plan.

There may be a timely opportunity to work with developers to address the issue of school and neighborhood connectivity in conjunction with current plans for development in this area. Every effort should be made to create publicly accessible access across these 'dead-end' neighborhoods that necessitate crossing the pipeline to access any services.<sup>58</sup>

55 See <http://smalleyfnd.org/services/pipeline-education/schools>

56 See [http://www.cccoe.k12.ca.us/about/resources\\_emergency.html](http://www.cccoe.k12.ca.us/about/resources_emergency.html)

57 See [http://www.cococaer.org/prepare\\_plans\\_school.html](http://www.cococaer.org/prepare_plans_school.html)

51 As of this writing, website access to the reports had been suspended pending HSD website's realignment with the CA Environmental Reporting System, but will soon be available again through links here: <http://cchealth.org/hazmat/incident-response.php>.

52 See <http://cchealth.org/hazmat/hmc/>

53 See <http://www.cde.ca.gov/ls/fa/sf/protocol07.asp>

54 See <http://www.cde.ca.gov/ls/fa/sf/mitigation.asp>

58 The Trust has seen the "Ball Estate" development plan that is currently under review and includes possible gated emergency vehicle access in this area via a private Ironwood Place connector. Contra Costa County should ensure that any emergency vehicle access is sufficient in width and access to have unimpeded passing emergency vehicles and whatever other needs may be requested by the Fire Department.



## Appendix A

As mentioned earlier, resources exist for school emergency planning. In addition, assistance or funding may be available from those same agencies or the pipeline operator to receive specialized technical assistance to assess the pipeline risks and offer suggested mitigation and evacuation strategies pertinent to the specific school situation.

Two fire districts cover the central region of the county that includes the Iron Horse Corridor: the Contra Costa County Fire Protection District, and the San Ramon Valley Fire Protection District. As mentioned previously, pipeline operators are required to have both an emergency response plan, and a public awareness plan, and to have a designated liaison and make information available to local first responders such as fire departments and sheriff or police departments. Because of the workload and turnover in most fire districts, it is difficult to have a single point-of-contact who is familiar with the pipeline, the operator and the emergency response plan. While pipeline operators invite district personnel to annual training events, it is up to the district to prioritize planning for a pipeline emergency.

**RECOMMENDATION TO CONTRA COSTA COUNTY HEALTH SERVICES DEPARTMENT:** Expand the scope of the Hazardous Materials Ombudsman and the Hazardous Materials Commission to provide an ongoing review of pipeline operators' emergency plans and possible county efforts regarding additional coordinated technical review of pipeline integrity planning.

**RECOMMENDATION TO THE STATE OF CALIFORNIA:** Work with the California Department of Education (CDE) on ways to implement CDE's suggestions for reducing the probability of a pipeline product release on schools, and reducing the consequences of pipeline releases on schools.<sup>59</sup>

**RECOMMENDATION TO CONTRA COSTA COUNTY BOARD OF SUPERVISORS:** Request appropriate staff conduct an analysis of all congregate facilities (i.e. schools, recreation facilities, hospitals, nursing facilities, etc.) located in close proximity to transmission pipelines; Work with other emergency response agencies to develop a list of resources for emergency and evacuation planning expertise for congregate facilities near pipelines that can include potential hazards from a pipeline incident, and mitigation strategies for those hazards based on site-specific considerations.

**RECOMMENDATION TO CONTRA COSTA COUNTY PUBLIC WORKS:** Plan emergency evacuation ingress/egress for areas in Alamo west of Danville Boulevard and the Iron Horse Corridor where a single east-west pipeline-crossing road is the only access for numerous homes and facilities (e.g. Hemme

Road, Camille Road) with the goal of creating public accessibility across these 'dead-end' neighborhoods that necessitate crossing the pipeline to access any services.

**RECOMMENDATION TO CONTRA COSTA COUNTY Department of Conservation and Development:** Review all development applications for opportunities to improve existing ingress/egress where currently limited, and where possible, include conditions on approvals to improve connectivity and avoid exacerbation of access problems.

**RECOMMENDATION TO DEPARTMENT OF EDUCATION:** Expand School Site Pipeline Risk Analysis and the Potential Pipeline Hazard Mitigation/Management guidance in coordination with emergency response agencies to offer help for schools that already exist in close proximity to pipelines. Lead coordination efforts among the myriad of agencies that offer crisis planning assistance to schools, and suggest minimum information that should be included in these plans regarding pipelines.

**RECOMMENDATION TO CONTRA COSTA COUNTY OFFICE OF PUBLIC EDUCATION AND SCHOOL DISTRICTS:** Expand emergency preparedness resources to include information about pipelines and pipeline-specific risks. Assist individual schools in developing crisis plans and emergency preparedness plans that include pipelines on the emergency maps and assess how ingress/egress may be affected by a pipeline incident.

**RECOMMENDATION TO CONTRA COSTA COUNTY CAER:** Include specific reference to oil and gas pipelines in the list of potential hazards listed in the hazard assessment in the next update to the *Model Emergency Plan for Schools*.

**RECOMMENDATION TO PIPELINE OPERATORS:** Reach out to the schools along the pipeline easement and offer to provide technical assistance assessing pipeline risks and evacuation strategies given possible incidents that could occur in close proximity to the schools.

**RECOMMENDATION TO FIRE DISTRICTS:** Designate a single point-of-contact to coordinate with pipeline operators, familiarize themselves with the operators' emergency response and spill response plans, know the facilities where people congregate (schools, churches, hospitals, nursing facilities, etc.) in close proximity to the pipeline, be involved with any emergency planning done by those facilities, and advise County DCD and PW on sufficiency of proposed ingress/egress for new developments in areas where there is currently single access that crosses the San Jose line.

<sup>59</sup> See CDE's Potential Pipeline Hazard Mitigation/Management website at <http://www.cde.ca.gov/ls/fa/sf/mitigation.asp>

## **APPENDICES**

Appendix A. Agency listing and Resources for more information

Appendix B. Community education meetings

Appendix C. Additional information reviewed for report

Appendix D. All Reported Incidents in Contra Costa County

Appendix E. All Reported Incidents on Kinder Morgan's SFPP Pipeline System

## Appendix A

### Appendix A. Agency listing and resources for more information

Alamo Improvement Association: [www.alamoca.org](http://www.alamoca.org)

CA Dept of Education, Guidance Protocol - School Site Pipeline Risk: [www.cde.ca.gov/ls/fa/sf/protocol07.asp](http://www.cde.ca.gov/ls/fa/sf/protocol07.asp)

CA Office of the State Fire Marshal, Pipeline Safety Division: [osfm.fire.ca.gov/pipeline/pipeline.php](http://osfm.fire.ca.gov/pipeline/pipeline.php)

CA Dept of Fish & Wildlife, Office of Spill Response and Prevention: [www.wildlife.ca.gov/OSPR](http://www.wildlife.ca.gov/OSPR)

CA Environmental Protection Agency, Unified Program: [www.calepa.ca.gov/CUPA/](http://www.calepa.ca.gov/CUPA/)

Contra Costa County Board of Supervisors: [www.cccounty.us/193/Board-of-Supervisors](http://www.cccounty.us/193/Board-of-Supervisors)

Contra Costa County Department of Conservation and Development: [www.cccounty.us/dcd](http://www.cccounty.us/dcd)

Contra Costa County Health Services Department, Hazardous Materials Programs: [cchealth.org/hazmat/](http://cchealth.org/hazmat/)

Contra Costa County Public Works Department, Transportation Engineering Division

Iron Horse Corridor Management: [www.co.contra-costa.ca.us/413/Iron-Horse-Corridor](http://www.co.contra-costa.ca.us/413/Iron-Horse-Corridor)

Franchise Administration: [www.contracosta.ca.gov/475/Franchise-Administration](http://www.contracosta.ca.gov/475/Franchise-Administration)

Contra Costa County Office of Education, Crisis Planning & Emergency Preparedness:

[www.cccoe.k12.ca.us/about/resources\\_emergency.html](http://www.cccoe.k12.ca.us/about/resources_emergency.html)

Contra Costa County Community Awareness & Emergency Response (CAER): [www.cococaer.org](http://www.cococaer.org)

Danielle Dawn Smalley Foundation, Pipeline Safety and Awareness Training for Schools:

[smalleyfnd.org/services/pipeline-education/schools](http://smalleyfnd.org/services/pipeline-education/schools)

Federal Pipeline Safety Regulations: [www.ecfr.gov/ecfrbrowse/Title49/49CISubchapD.tpl](http://www.ecfr.gov/ecfrbrowse/Title49/49CISubchapD.tpl)

National Transportation Safety Board: [www.nts.gov](http://www.nts.gov)

Pipeline Safety Trust website: [pstrust.org](http://pstrust.org)

Landowner's Guide to Pipelines: [pstrust.org/log](http://pstrust.org/log)

Local Government Guide to Pipelines: [pstrust.org/lgg](http://pstrust.org/lgg)

Online "SafePipelines" discussion group: [groups.yahoo.com/neo/groups/safepipelines](http://groups.yahoo.com/neo/groups/safepipelines)

U.S. Dept of Transportation, Pipeline and Hazardous Materials Safety Administration

Incident and Annual Pipeline Data: [phmsa.dot.gov/pipeline/library/data-stats](http://phmsa.dot.gov/pipeline/library/data-stats)

National Pipeline Mapping System: [www.npms.phmsa.dot.gov/PublicViewer](http://www.npms.phmsa.dot.gov/PublicViewer)

Office of Pipeline Safety: [phmsa.dot.gov/pipeline](http://phmsa.dot.gov/pipeline)

Pipelines and Informed Planning Alliance: [primis.phmsa.dot.gov/comm/pipa/landuseplanning.htm](http://primis.phmsa.dot.gov/comm/pipa/landuseplanning.htm)

## Appendix A

### Appendix B. Community education meetings

The Alamo Improvement Association and the Contra Costa County Hazardous Materials Commission jointly sponsored two hazardous liquid pipeline safety workshops in June of 2015, with funding from the PHMSA Community Technical Assistance Grant received by the Alamo Improvement Association. Michael Kent, Hazardous Materials Ombudsman, moderated the meetings, and the following four individuals presented information and slides to the group:

- Carl Weimer, Executive Director of the Pipeline Safety Trust
- Bob Gorham, Division Chief of Pipeline Safety, Office of the State Fire Marshal
- Pete Murphy, Operations Manager at Kinder Morgan
- Carry Ricci, Customer Services Coordinator at Contra Costa County Public Works Department

The Pipeline Safety Trust hosts a webpage with all the presentations available for download: <http://pstrust.org/trust-initiatives-programs/work-in-other-communities/alamo/>. In addition, the second workshop was captured on video by CCTV, and is available to watch here: [http://contra-costa.granicus.com/MediaPlayer.php?publish\\_id=935921b6-0eea-11e5-b5ce-00219ba2f017](http://contra-costa.granicus.com/MediaPlayer.php?publish_id=935921b6-0eea-11e5-b5ce-00219ba2f017).

The workshops were held in Alamo and Martinez, with advertising and press coverage in the preceding month. About 70 people attended the June 3rd workshop in Alamo, and about 45 attended the June 6th workshop in Martinez. Three Pipeline Safety Trust staff worked along side the members of the Alamo Improvement Association Technical Assistance Grant, ad-hoc working group to prepare for and carry out these workshops. Audience members submitted written questions throughout the meeting, which were then asked by the moderator to the panelists during a question and answer period at the end of the meeting. This report focuses on questions of concern to local citizens, including those submitted at the workshops or by email to members of the ad-hoc working group.

## CONTRA COSTA COUNTY PIPELINE SAFETY



- ❖ What types of petroleum pipelines are in Contra Costa County?
- ❖ Who is responsible for the pipelines in Contra Costa?
- ❖ What are the risks associated with our pipelines?
- ❖ How can you help keep your community safe from pipeline risks?
- ❖ Get your questions answered by private and public agencies that deal with petroleum pipelines.

### Learn About Pipeline Safety in Contra Costa

**WHEN:** Saturday, June 6, 2015, 10:00AM  
**WHERE :** 651 Pine Street, Martinez, CA 94553  
Board of Supervisors Chambers

**WHO:** California State Fire Marshal's Office, Contra Costa County Hazardous Materials Commission, Kinder Morgan Pipeline Owner/Operator, Pipeline Safety Trust, Alamo Improvement Association

Learn more at: [www.alamoca.org](http://www.alamoca.org)

## Appendix A

### HAZARDOUS LIQUID PIPELINE SAFETY WORKSHOP AGENDA

**June 3, 2015, 6:30 – 8:30 PM in Alamo**  
Creekside Community Church (1350 Danville Blvd)

**June 6, 2015, 10 AM – 12 PM in Martinez**  
County Administration Building, Board of Supervisors Chambers (651 Pine St)

*Facilitated by Pipeline Safety Trust staff, and Contra Costa County Hazardous Materials Ombudsman Michael Kent*

#### **Introductions (10 Minutes)**

Agency, Kinder Morgan, and Pipeline Safety Trust staff

#### **Why care about pipeline safety? Pipelines 101 (20 minutes)**

Pipeline Safety Trust staff

#### **Kinder Morgan Presentation (20 Minutes)**

Pete Murphy, Operations Manager, Kinder Morgan

#### **Fire Marshal Presentation (20 Minutes)**

Bob Gorham, Division Chief, Pipeline Safety, CA Office of the State Fire Marshal

#### **Increasing Safety - Pipeline Safety Trust Staff, Michael Kent, & Carrie Ricci (15 Minutes)**

Communications

County involvement – Public Works & Hazardous Materials Advisory Board

#### **Facilitated Question & Answer Panel – Michael Kent, facilitator (30 Minutes)**

#### **Closing (5 Minutes ) AIA - Roger Smith**

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#### **MEETING SPONSORS:**



**Contra Costa County  
Hazardous Materials  
Commission**

**Pipeline Safety**  
**TRUST**  
Credible. Independent. In the public interest.

#### **PARTICIPATING STAKEHOLDERS:**



**KINDER MORGAN**



**Pipeline and Hazardous  
Materials Safety Administration**



## Appendix A

## Appendix C. Additional information reviewed for report

- City of Richmond, Pipeline Franchise Ordinance 27-10 (2010). Online: [www.ci.richmond.ca.us/ArchiveCenter/ViewFile/Item/3143](http://www.ci.richmond.ca.us/ArchiveCenter/ViewFile/Item/3143).
- Contra Costa County Code (including Industrial Safety Ordinance, and Zoning Ordinance). Online: [www.municode.com/library/ca/contra\\_costa\\_county/codes/ordinance\\_code](http://www.municode.com/library/ca/contra_costa_county/codes/ordinance_code).
- Contra Costa County, Flood Control & Water Conservation District – PG&E 1994 Easement for 24 inch gas pipeline.
- Contra Costa County General Plan (2014). Online: [www.co.contra-costa.ca.us/4732/General-Plan](http://www.co.contra-costa.ca.us/4732/General-Plan).
- Contra Costa County Health Services, Hazardous Materials Program – Incident report ConocoPhillips pipeline (vandalism) in Byron 2011 Aug 27 – includes Environmental Site Assessment Report.
- Contra Costa County Health Services, Hazardous Materials Program – Incident report ConocoPhillips pipeline (corrosion) at MOTC (Marine Ocean Terminal Concord, formerly Naval Weapons Station) 2011 Nov 7.
- Contra Costa County Health Services memo (Randy Sawyer) to Contra Costa County Board of Supervisors re: Nov 7, 2014 ConocoPhillips pipeline leak in Concord (crude).
- Contra Costa County Iron Horse Corridor Management Program Landscape Element (2000). Online: [www.co.contra-costa.ca.us/2579/Landscape-Element](http://www.co.contra-costa.ca.us/2579/Landscape-Element).
- Contra Costa County Pipeline Franchise Ordinance 2013-19 & Fee Resolution (2013). Online: <http://pstrust.org/wp-content/uploads/2015/04/Pipeline-Franchise-FINALweb-09172013.pdf>.
- Contra Costa County Public Works memo to Contra Costa County Board of Supervisors recommending requesting the Office of the State Fire Marshal report of Kinder Morgan Integrity Management program review. Approved by Board of Supervisors (2015 Jan 6).
- Honegger, D.G. and Wijewickreme, D. (2013). Seismic risk assessment for oil and gas pipelines. In Tesfamariam, S., Goda, K. (Eds.), Handbook of Seismic Risk Analysis and Management of Civil Infrastructure Systems (pages 682-715). Cambridge: Woodhead Publishing Limited, 2013.
- Kelson, Keith I. and Sundermann, Sean T (2007). Digital compilation of Northern Calaveras Fault Data for the Northern California Map Database: Collaborative Research with William Lettis & Associates, Inc., and the U.S. Geological Survey. Online: [earthquake.usgs.gov/research/external/reports/05HQGR0023.pdf](http://earthquake.usgs.gov/research/external/reports/05HQGR0023.pdf)
- National Association of Pipeline Safety Representatives (2013). Compendium of State Pipeline Safety Requirements and Initiatives Providing Increased Public Safety Levels compared to Code of Federal Regulations – second edition. Online: [www.napsr.org/Pages/Comp2013.aspx](http://www.napsr.org/Pages/Comp2013.aspx).
- Office of the State Fire Marshal Pipeline Failure Investigation Report, 2004 Nov 9 Walnut Creek Kinder Morgan incident.
- Office of the State Fire Marshal report on review of Kinder Morgan Integrity Management Program for pipelines in Contra Costa County (2014 June 2).
- Office of the State Fire Marshal PowerPoint presentation re: Kinder Morgan Integrity Management Program (2014 Dec 4). Online: [64.166.146.155/docs/2015/BOS/20150106\\_514/20327\\_ContraCostaCounty2014.pdf](http://64.166.146.155/docs/2015/BOS/20150106_514/20327_ContraCostaCounty2014.pdf).
- Office of the State Fire Marshal letter (Bob Gorham) to Contra Costa County Board of Supervisors re: Kinder Morgan inspection/audit (2014 May 8).
- PHMSA corrective action order 2005 Aug 24 re: Kinder Morgan Pacific Operations (CAO 5-2005-5025H).
- PHMSA consent agreement 2006 March 29 re: Kinder Morgan Pacific Operations (CPF 5-2005-5025H). Online: [primis.phmsa.dot.gov/comm/reports/enforce/documents/520055025H/CPF\\_NO\\_5\\_2005-5025H.pdf](http://primis.phmsa.dot.gov/comm/reports/enforce/documents/520055025H/CPF_NO_5_2005-5025H.pdf).
- PHMSA closure of consent agreement 2015 May 11 re: Kinder Morgan Pacific Operations (CPF 5-2005-5025H). Online: [primis.phmsa.dot.gov/comm/reports/enforce/documents/520055025H/520055025H\\_closure%20letter\\_05112015.pdf](http://primis.phmsa.dot.gov/comm/reports/enforce/documents/520055025H/520055025H_closure%20letter_05112015.pdf).
- Pipeline and Informed Planning Alliance (2010). Partnering to Further Enhance Pipeline Safety in Communities through Risk-Informed Land Use Planning Final Report of Recommended Practices. Online: [primis.phmsa.dot.gov/comm/publications/pipa/pipa-report-final-20101117.pdf](http://primis.phmsa.dot.gov/comm/publications/pipa/pipa-report-final-20101117.pdf)
- Southern Pacific Transportation Company – Southern Pacific Pipe Lines, Inc. 1979 Easement (for Concord-San Jose pipeline).
- Southern Pacific Railroad – Santa Fe Pacific Pipelines 1994 Amended Easement (for Concord-San Jose pipeline, references original easement from June 5, 1970 that was not found).

## Appendix A

- U.S. Dept of Transportation, Pipeline and Hazardous Materials Safety Administration (2012). Studies for the Requirements of Automatic and Remotely Controlled Shutoff Valves on Hazardous Liquids and Natural Gas Pipelines with Respect to Public and Environmental Safety (ORNL/TM-2012/411). Prepared by Oak Ridge National Laboratory, managed by UT-Battelle for the U.S. Dept of Energy. Online: [www.phmsa.dot.gov/pv\\_obj\\_cache/pv\\_obj\\_id\\_2C1A725B08C5F72F305689E943053A96232AB200/filename/Final%20Valve Study.pdf](http://www.phmsa.dot.gov/pv_obj_cache/pv_obj_id_2C1A725B08C5F72F305689E943053A96232AB200/filename/Final%20Valve%20Study.pdf)
- Wang, Yumei, Bartlett, Steven F., and Miles, Scott B (2012). Earthquake Risk Study for Oregon's Critical Energy Infrastructure Hub (Final Report to Oregon Department of Energy & Oregon Public Utility Commission). Oregon Department of Geology and Mineral Industries. Online: [www.oregongeology.org/sub/earthquakes/cei-hub-report.pdf](http://www.oregongeology.org/sub/earthquakes/cei-hub-report.pdf)



## Appendix A

## Appendix D. All Reported Incidents in Contra Costa County

All Reported Incidents in Contra Costa County - 2002 to present (as of 4/1/15)

Significant Incidents are highlighted in yellow

Significant	Date	Name	City	Commodity spilled	Gallons spilled	Fatalities	Injuries	Property damage	Cause
Yes	1/8/2002	Sfpp, lp	Concord	Gasoline	168	0	0	\$183,180	Other
Yes	3/31/2002	Sfpp, lp	Richmond	Diesel fuel	3,360	0	0	\$230,290	Material and/or weld failures
No	4/21/2002	Sfpp, lp	Concord	Diesel fuel	546	0	0	\$9,639	Incorrect operation
Yes	6/21/2002	Pacific gas & electric co	Concord	Natural gas	N/a	0	0	\$151,000	Damage by outside forces
No	7/4/2002	Equilon pipeline co	Concord	Crude oil	10	0	0	\$7,508	Material and/or weld failures
No	8/14/2002	Sfpp, lp	Concord	Gasoline/diesel fuel	126	0	0	\$9,119	Equipment
Yes	9/7/2002	Sfpp, lp	Richmond	Gasoline	1,260	0	0	\$262,750	Material and/or weld failures
No	10/15/02	Venoco, inc	Pittsburg	Natural gas	N/a	0	0	\$24,000	Excavation damage
No	3/29/2003	Sfpp, lp	Concord	Turbine fuel	20	0	0	\$10,859	Equipment
Yes	4/1/2003	Sfpp, lp	Concord	Gasoline	22,260	0	0	\$162,287	Material and/or weld failures
Yes	4/14/2003	Sfpp, lp	Concord	Transmix	30,450	0	0	\$1,390,073	Corrosion
No	5/30/2003	Sfpp, lp	Concord	Gasoline	60	0	0	\$230	Incorrect operation
No	9/8/2003	Sfpp, lp	Concord	Turbine fuel	20	0	0	\$667	Incorrect operation
Yes	11/11/2003	Pacific gas & electric co	Walnut creek	Natural gas	N/a	0	0	\$750,000	Other
No	9/28/2004	Sfpp, lp	Concord	Gasoline/distillate mixture	126	0	0	\$54,202	Material and/or weld failures
Yes	11/7/2004	Sfpp I.P.	Martinez	Jet fuel	12,558	0	0	\$139,130	Excavation damage
Yes	11/9/2004	Sfpp I.P.	Walnut creek	Gasoline	23,688	5	3	\$734,449	Excavation damage
Yes	4/30/2006	Sfpp I.P.	Concord	Gasoline	3,234	0	0	\$499,493	Material and/or weld failures
No	6/5/06	Venoco inc.	Pittsburg	Natural gas	N/a	0	0	\$70,000	Corrosion
No	6/19/06	Pacific gas & electric co	Pittsburg	Natural gas	N/a	0	0	\$65,200	Excavation damage
Yes	9/8/2007	Pacific atlantic terminals llc	Martinez	Gasoline/reformate	7,056	0	0	\$547,084	Incorrect operation
No	3/5/2008	Pacific atlantic terminals llc	Martinez	Gasoline	10	0	0	\$3,908	Other
Yes	5/23/2008	Sfpp, lp	Richmond	Gasoline	168	0	0	\$114,815	Corrosion
No	6/24/2008	Pacific atlantic terminals llc	Martinez	Hydrotest water/oil mixture	21	0	0	\$64,712	Material and/or weld failures
No	11/5/2009	Plains marketing, I.P.	Martinez	Diesel fuel	168	0	0	\$34,800	Corrosion
Yes	8/23/2011	Sfpp, lp	Brentwood	Refined product	1,596	0	0	\$410,000	Equipment failure
Yes	8/27/2011	Conocophillips	Byron	Crude oil	2,352	0	0	\$1,275,040	Excavation damage

## Appendix A

Yes	11/7/2011	Conocophillips	Concord	Crude oil	1,890	0	0	\$1,839,410	Corrosion failure
Yes	7/3/2012	Shell pipeline co., L.P.	Martinez	Refined product	546	0	0	\$176,000	Equipment failure
No	10/17/2012	Chevron pipe line co	Byron	Refined product	10	0	0	\$26,200	Equipment failure
Yes	8/8/2013	Sfpp, lp	Concord	Refined product	57	0	0	\$427,913	Material failure of pipe or weld
No	6/20/14	Pacific gas & electric co	Antioch	Natural gas	N/a	0	0	\$70,021	Excavation damage
No	6/21/2014	Sfpp, lp	Concord	Refined product	302	0	0	\$34,453	Incorrect operation
No	6/21/2014	Nustar terminals	Crockett	Refined product	1,554	0	0	\$52,000	Incorrect operation
No	9/14/2014	Sfpp, lp	Concord	Refined product	536	0	0	\$80,967	Incorrect operation
Yes	9/15/14	Pacific gas & electric co	Lafayette	Natural gas	N/a	0	0	\$115,315	Excavation damage
No	9/17/2014	Phillips 66 pipeline llc	Richmond	Refined product	89	0	0	\$5,000	Equipment failure
Yes	12/9/2014	Sfpp, lp	Concord	Refined product	0.42	0	0	\$150,501	Equipment failure
Yes	1/12/2015	Sfpp, lp	Richmond	Refined product	2,474	0	0	\$550,497	Equipment failure
Totals					116,716	5	3	\$10,732,712	

## Appendix A

## Appendix E. All Reported Incidents on Kinder Morgan's SFPP Pipeline System

All incidents, 2006 - present. Significant Incidents are highlighted in yellow.

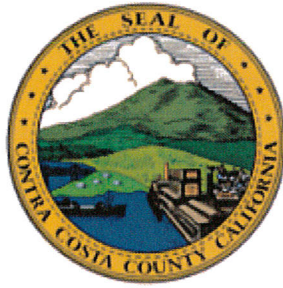
Date	City	State	County	Cause	Fatalities	Injuries	Property Damage	Gallons Spilled
5/23/2015	Rocklin	Ca	Placer	Material/weld/equip failure	0	0	\$5,578	0
2/23/2015	Long beach	Ca	Los angeles	Material/weld/equip failure	0	0	\$178,131	0
1/12/2015	Richmond	Ca	Contra costa	Material/weld/equip failure	0	0	\$550,497	2,436
12/9/2014	Concord	Ca	Contra costa	Material/weld/equip failure	0	0	\$150,501	0
10/6/2014	Brisbane	Ca	San mateo	Incorrect operation	0	0	\$16,169	0
9/14/2014	Concord	Ca	Contra costa	Incorrect operation	0	0	\$80,967	504
6/21/2014	Concord	Ca	Contra costa	Incorrect operation	0	0	\$34,453	294
8/8/2013	Concord	Ca	Contra costa	Material/weld/equip failure	0	0	\$427,913	42
1/8/2013	West sacramento	Ca	Yolo	Material/weld/equip failure	0	0	\$2,429	0
10/16/2012	Long beach	Ca	Los angeles	Material/weld/equip failure	0	0	\$16,012	252
8/23/2011	Brentwood	Ca	Contra costa	Material/weld/equip failure	0	0	\$410,000	1,596
8/10/2011	Colfax	Ca	Placer	Material/weld/equip failure	0	0	\$2,046	0
4/25/2011	Live oak	Ca	Sutter	Material/weld/equip failure	0	0	\$27,301	336
11/4/2010	Pomona	Ca	Los angeles	Material/weld/equip failure	0	0	\$64,964	84
7/19/2010	Rocklin	Ca	Placer	Material/weld/equip failure	0	0	\$49,500	0
3/16/2010	Sacramento	Ca	Sacramento	Corrosion	0	0	\$480,000	2,016
5/18/2009	Bloomington	Ca	San bernardino	Material/weld/equip failure	0	0	\$72,147	462
5/1/2009	Phoenix	Az	Maricopa	All other causes	0	0	\$33,684	714
9/18/2008	Deming	Nm	Luna	Material/weld/equip failure	0	0	\$2,431	0
6/4/2008	Indio	Ca	Riverside	Excavation damage	0	0	\$222,245	31,542
5/23/2008	Richmond	Ca	Contra costa	Corrosion	0	0	\$114,815	168
3/29/2008	Phoenix	Az	Maricopa	Material/weld/equip failure	0	0	\$5,212	42
2/15/2008	Phoenix	Az	Maricopa	Material/weld/equip failure	0	0	\$7,172	84
10/2/2007	Reno	Nv	Washoe	Material/weld/equip failure	0	0	\$4,055,353	35,742
4/8/2007	Long beach	Ca	Los angeles	Material/weld/equip failure	0	0	\$8,209	84
2/26/2007	El paso	Tx	El paso	Material/weld/equip failure	0	0	\$47,066	0
2/26/2007	Long beach	Ca	Los angeles	All other causes	0	0	\$144,063	126
1/12/2007	Rocklin	Ca	Placer	Material/weld/equip failure	0	0	\$249	0
11/28/2006	Long beach	Ca	Los angeles	Incorrect operation	0	0	\$5,030	0
10/23/2006	El paso	Tx	El paso	Incorrect operation	0	0	\$0	0
9/27/2006	Rocklin	Ca	Placer	Material/weld/equip failure	0	0	\$6,421	126
9/27/2006	El paso	Tx	El paso	Corrosion	0	0	\$177,110	84
9/11/2006	Carson	Ca	Los angeles	All other causes	0	0	\$11,158	0

## Appendix A

Date	City	State	County	Cause	Fatalities	Injuries	Property Damage	Gallons Spilled
8/24/2006	Soda springs	Ca	Nevada	Corrosion	0	0	\$1,608,202	4,074
8/23/2006	West sacramento	Ca	Yolo	Material/weld/equip failure	0	0	\$52,488	0
7/24/2006	Stockton	Ca	San joaquin	Material/weld/equip failure	0	0	\$223,391	504
6/22/2006	Dublin	Ca	Alameda	Other outside force damage	0	0	\$1,845,651	672
6/10/2006	El paso	Tx	El paso	Material/weld/equip failure	0	0	\$557	84
6/9/2006	Long beach	Ca	Los angeles	Material/weld/equip failure	0	0	\$520	0
5/26/2006	Long beach	Ca	Los angeles	Incorrect operation	0	0	\$32,937	1,134
5/21/2006	Rocklin	Ca	Placer	All other causes	0	0	\$50,512	168
5/16/2006	Deming	Nm	Luna	Material/weld/equip failure	0	0	\$5,142	84
4/30/2006	Concord	Ca	Contra costa	Material/weld/equip failure	0	0	\$499,493	3,234
3/17/2006	El paso	Tx	El paso	Material/weld/equip failure	0	0	\$25,093	42
3/13/2006	Tucson	Az	Pima	Incorrect operation	0	0	\$173	0
1/27/2006	Portland	Or	Multnomah	Corrosion	0	0	\$30,145	84
<b>Totals</b>					<b>0</b>	<b>0</b>	<b>\$11,783,130</b>	<b>86,814</b>

## Appendix A

## Appendix B



# Contra Costa County Board of Supervisors

## Subcommittee Report

### TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

5.

Meeting Date: 04/14/2016

Subject: CONSIDER selected recommendations in the Pipeline Safety Trust report directed at the County or County Departments, and DIRECT staff as appropriate.

Submitted For: TRANSPORTATION, WATER &amp; INFRASTRUCTURE COMMITTEE,

Department: Conservation &amp; Development

Referral No.: 12, 15

Referral Name: MONITOR and REPORT on the Underground Utilities Program and MONITOR the Iron Horse Corridor Management Program.

Presenter: Michael Kent, Executive  
Assistant to Hazardous  
Materials Commission

Contact: Michael Kent (925)313-6587

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#### Referral History:

This report has not been taken up by TWIC in the past, but is related to an earlier presentation at TWIC by the State Fire Marshal on the Integrity Management Plan for the Kinder Morgan pipeline running parallel to the Iron Horse Trail and other discussions that have occurred at TWIC concerning pipeline safety.

#### Referral Update:

In 2015 the Alamo Improvement Association received a grant from the Federal Department of Transportation to conduct public engagement around pipeline safety issues. As part of that grant they contracted with the Pipeline Safety Trust to write a report on pipeline safety in Contra Costa County. That report, Pipeline Safety in Alamo, and surrounding areas within Contra Costa County, California (see attached), contained nine recommendations to the County concerning pipeline safety issues.

On January 28, the Hazardous Materials Commission unanimously agreed that the following recommendations contained in the report merit further consideration by the Board of Supervisors. The Commission encourages the Board to discuss these recommendations with the appropriate departmental staff and other stakeholders to determine what measures may be necessary to implement

## Appendix B

these recommendations, to identify the appropriate lead staff that would be necessary to implement these measures, and to identify potential sources of any additional funding which may be needed to implement these recommendations.

The page number where each recommendation can be found in the Pipeline Safety Trust report is listed after each recommendation:

*1. Review all development applications for opportunities to improve existing ingress/egress where currently limited, and where possible, include conditions on approvals to improve connectivity and avoid exacerbation of access problems. (p.27)*

*2. Plan emergency evacuation ingress/egress for areas in Alamo west of Danville Boulevard and the Iron Horse Corridor where a single pipeline crossing road is the only access for numerous homes and facilities with the goal of creating public accessibility across these "dead-end" neighborhoods that necessitate crossing the pipeline to access any services. (p.27)*

*3. Ensure the county has complete and accurate records of corridor and right of way locations. Continue to coordinate with Kinder Morgan and other utilities on resolution of encroachments into pipeline Rights of Way. (p. 23)*

*4. Ensure the single staff point-of-contact for citizens with concerns about multiple utility issues and right of way questions has technical training on safety concerns, adequate resources to conduct regular and broad community outreach (especially along the Iron Horse Trail Corridor), and resources to work in close coordination with other related departments and advisory groups. (p. 23)*

*5. Request appropriate staff conduct an analysis of all congregate facilities located in close proximity to transmission pipelines; Work with other emergency response agencies to develop a list of resources for emergency and evacuation planning expertise for congregate facilities near pipelines that can include potential hazards from a pipeline incident, and mitigation strategies for those hazards based on site-specific considerations.(p. 27)*

*6. Adopt clear policies and deterrents regarding preventing encroachment including the review*



## Appendix B

*of setback variances by municipal advisory councils or committees and department staff, so that properties and vegetation along utility corridors do not encroach on pipelines. (p. 23)*

On February 17, 2016 the Planning and Policy committee of the Hazardous Materials Commission voted to endorse language changes the Department of Conservation and Development is proposing to make to Section 82 of the County Zoning Code in response to the following recommendation in the Pipeline Safety Report.

*7. Consider adding goals and policies regarding pipelines to the General Plan, and amending Contra Costa County Zoning Code 82.2.010 so that all gas and hazardous liquid transmission pipelines would be subject to land use regulations. Consider additional ordinances (s) pertaining to zoning and land use that are proposed for construction, replacement, modification, or abandonment.*

The following two recommendations from the report did not garner any support from the Commission:

*8. Work in coordination with pipeline operators to develop a technical advisory body that can review the integrity management plans (similar to the Santa Barbara County System Safety Reliability Review Committee) and other technical assessments of the pipelines in order to cultivate informed technical expertise in the county and increase public trust and awareness.*

*9. Expand the scope of the Hazardous Materials Ombudsman and the Hazardous Materials Commission regarding pipelines to provide an ongoing review of pipeline operators' emergency plans and an active role in possible county efforts regarding additional coordinated technical review of pipeline integrity management planning.*

Recommendation(s)/Next Step(s):

CONSIDER selected recommendations in the Pipeline Safety Trust report directed at the County or County Departments, and DIRECT staff as appropriate.

Fiscal Impact (if any):

None.

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Attachments-Y

HMC Pipeline Report to TWIC 41416

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## Appendix C



# Contra Costa County Board of Supervisors

## Subcommittee Report

### TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

7.

Meeting Date: 06/09/2016

Subject: CONSIDER Department responses to the Pipeline Safety Report and DIRECT staff on next steps.

Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,

Department: Conservation & Development

Referral No.: 15

Referral Name: Monitor the Iron Horse Corridor Program

Presenter: Carrie Ricci, Department of Public Works, and John Cunningham,  
Department of Conservation and Development

Contact: Carrie Ricci (925)313-2235

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#### Referral History:

At the April meeting of the Transportation, Water and Infrastructure Committee (TWIC), Michael Kent, Executive Assistant to the Hazardous Materials Commission presented the Pipeline Safety Report that was developed by the Pipeline Safety Trust.

The Hazardous Materials Commission supported seven of the nine recommendations moving forward. TWIC directed staff from the Departments of Conservation and Development and Public Works to review the recommendations and report on how they could be implemented within the County.

#### Referral Update:

On May 23, 2016 staff from the Departments of Conservation and Development and Public Works met with staff from the Office of Emergency Services, Health Services, Contra Costa County Fire Protection District and San Ramon Valley Fire District to discuss the following recommendations, what is currently being performed and any additional steps that can be taken to improve in these areas.

**Recommendation:** Review all development applications for opportunities to improve existing ingress/egress where currently limited, and where possible, include conditions on approvals to improve connectivity and avoid exacerbation of access problems.

*Response: The Contra Costa County Fire Protection District and San Ramon Valley Fire District review development applications to determine based on the size of the development whether a second access is required. Access requirements are determined by the Contra Costa County Fire Code.*

**Recommendation:** Plan emergency evacuation ingress/egress for areas in Alamo west of Danville Boulevard and

the Iron Horse Corridor where a single pipeline crossing road is the only access for numerous homes and facilities with the goal of creating public accessibility across these “dead-end” neighborhoods that necessitate crossing the pipeline to access any services.

#### Appendix C

*Response: The San Ramon Valley Fire Protection District is in the preliminary phase of developing evacuation maps for neighborhoods on the west side of the trail in the Danville area. They have requested feedback from the Danville Police Department and will look at the Alamo area next. The information will be incorporated into a mailer and is anticipated to be sent to residents in fiscal year 2016-17. In some emergency situations, Shelter in Place may be the most appropriate option.*

Recommendation: Ensure the County has complete and accurate records of corridor and right of way locations. Continue to coordinate with Kinder Morgan and other utilities on resolution of encroachments into pipeline rights of way.

*Response: The County has current maps that show property lines and utility easements. Staff continues to work with the utilities and property owners to address encroachments.*

Recommendation: Ensure the single staff point-of-contact for citizens with concerns about multiple utility issues and right of way questions has technical training on safety concerns, adequate resources to conduct regular and broad community outreach (especially along the Iron Horse Trail Corridor), and resources to work in close coordination with other related departments and advisory groups.

*Response: The Public Works Department has a single staff contact for the corridor who is the Iron Horse Corridor Manager. The Corridor Manager works with the utilities, County Survey staff and property owners to address right of way questions. The Corridor Manager interacts with other departments to address corridor concerns and attends advisory committee meetings, as needed to share information with the community. The Department has contacts with all of the utilities and the State Fire Marshal so they can provide expertise, as needed.*

Recommendation: Request appropriate staff conducts an analysis of all congregate facilities located in close proximity to transmission pipelines. Work with other emergency response agencies to develop a list of resources for emergency and evacuation planning expertise for congregate facilities near pipelines that include potential hazards from a pipeline incident, and mitigation strategies for those hazards based on site-specific considerations.

*Response: The Fire District and Health Services discussed working with Community Awareness and Emergency Response (CAER) to develop a fact sheet to send to the congregate facilities that describes what to consider regarding pipelines when they're developing their emergency plans. The term congregate will need to be further defined to determine what facilities would receive this information. San Ramon Valley Fire Protection District has an evacuation video developed for this type of scenario that has been promoted to surrounding jurisdictions.*

Recommendation: Adopt clear policies and deterrents regarding preventing encroachments including review of setback variances by municipal advisory councils or committees and department staff, so that properties and vegetation along utility corridors do not encroach on pipelines.

*Response: The County has clear policies that prevent encroachments. Property owners and contractors are required to apply for a permit to access and/or perform work in the Iron Horse Corridor. The Public Works Department is looking into different methods to communicate this information to property owners adjacent to the Iron Horse Corridor, such as informational letters*

*that remain. Appendix C contains the corridor property lines, utilities in the corridor and the requirement to call Underground Service Alert when digging. Other possibilities include Board of Supervisors email communication and markers in the corridor designating the property line in various locations. The County and cities along the corridor have setback requirements in place. Utilities companies, specifically Kinder Morgan routinely clears vegetation over their easement. When property owners apply for a setback variance the application may go to the appropriate municipal advisory committee for review and a recommendation.*

Recommendation: Consider adding goals and policies regarding pipelines to the General Plan, and amending Contra Costa County Zoning code 82.2.010 so that all gas and hazardous liquid transmission pipelines would be subject to land use regulations. Consider additional ordinances pertaining to zoning and land use that are proposed for construction, replacement, modification, or abandonment.

*Response: The Land Use, Transportation and Circulation, Open Space, and Safety elements of the County General Plan contain references to pipelines that transport hazardous materials. The Land Use and Safety elements also contain policies, though they are few and their nature is more suggestive than directive. Because the County does not always have jurisdiction over pipeline projects, amending the General Plan to add goals and policies pertaining directly to pipeline development may have limited value. However, adding policies addressing the relationship of other land uses to pipelines could be useful. Examples of such policies could include, but not be limited to:*

- Discouraging placement of uses and facilities which primarily house or serve vulnerable or sensitive populations (elderly, ill, children, etc.) within X feet of a hazardous materials pipeline right-of-way.*
- Requiring deed notifications for all newly subdivided lots within X feet of a hazardous materials pipeline right-of-way.*
- Encouraging new buildings to be located away from hazardous materials pipeline rights-of-way when such design flexibility exists on the project site.*

*Ordinance Code Section 82-2.010 currently states that pipelines are exempt from the County's zoning regulations. However, on May 24, 2016, the Board of Supervisors adopted an amendment to Section 82-2.010 clarifying that pipelines are subject to Ordinance Code Chapter 84-63, Land Use Permits for Development Projects Involving Hazardous Waste or Hazardous Materials. The amendment becomes effective 30 days after adoption.*

*Staff believes the Ordinance Code provides for proper review of pipelines and sees no compelling need for additional regulation of pipeline construction, replacement, modification, or abandonment. Statutory exemptions exist for replacement/modification of pipelines and often these activities take place under order from a federal or state agency. Pursuant to Chapter 84-63, pipeline projects located more than 300 feet from residential or commercial properties are not "development projects" and therefore do not require a land use permit. If a pipeline is located*

within 300 feet of such properties and has a hazard score [\[1\]](#) of 80 or higher, then a land use permit is required and an environmental review will be performed.

*The Transportation Risk component of hazard scoring rates pipelines as the preferred method for transporting hazardous materials, relative to truck, rail, and marine vessels. Discouraging pipeline development through unnecessary regulation could have the unintended consequence of incentivizing the use of less safe transportation methods, especially since increasing the frequency of truck, rail or vessel deliveries typical would not require a County review.*

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[\[1\]](#) The hazard score is calculated pursuant to Ordinance Code Section 84-63.1004 and represents a project-specific risk assessment based on the following factors (possible points for each factor are indicated in parentheses): Transportation Risk (0-10); Community Risk – Distance from Receptor (1-30); Community Risk – Type of Receptor (4-7); Facility Risk – Size of Project (Total Amount Change in Tons; 0-30); Facility Risk – Size of Project (Percentage Change; 0-6); and Hazard Category of Material or Waste (1-3).

Recommendation(s)/Next Step(s):

CONSIDER Department responses to the Pipeline Safety Report and DIRECT staff on next steps.

Fiscal Impact (if any):

N/A

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

6.

Meeting Date: 08/11/2016

Subject: CONSIDER report summarizing the Pipeline Safety Trust Report and DIRECT staff to submit the full report to the Board of Supervisors for consideration

Submitted For: Julia R. Bueren,

Department: Public Works

Referral No.: 15

Referral Name: Monitor the Iron Horse Corridor Program

Presenter: Carrie Ricci, PWD and John  
Cunningham, DCD

Contact: Carrie Ricci (925)313-2235 and  
John Cunningham (925)674-7833

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#### Referral History:

The Alamo Improvement Association (AIA) was awarded a Technical Assistance Grant by the Pipeline and Hazardous Materials Safety Administration, a division of the U.S. Department of Transportation. The grant included pipeline safety public outreach and education, and training for local first responders, and outreach regarding the 811 Call Before You Dig Program. The grant period was from October 2014 through September 2015.

AIA contracted with the Pipeline Safety Trust in 2015 to provide services intended to educate and inform the community about hazardous liquid pipelines and pipeline safety. The contract included presentation at two community workshops in June 2015 and the production of a report. The report, Pipeline Safety in Alamo, and surrounding areas within Contra Costa County, California (the Report) is attached as Appendix A and includes a summary of the work completed and recommendations.

The Hazardous Materials Commission reviewed the Report at their January 2016 and April 2016 meetings. The Planning and Policy Development Committee of the Hazardous Materials Commission reviewed the Report and recommendations at their October 2015, December 2015, January 2016 and February 2016 meetings.

At the January 2016 meeting, the Commission agreed that 7 of the recommendations contained in the report merit further consideration by the Board of Supervisors. Michael Kent, Executive Assistant to the Hazardous Materials Commission summarized the Hazardous Materials Commission's discussion and the recommendations at the Transportation, Water and Infrastructure (TWIC) Committee Meeting on April 14, 2016. The April 14, 2016 TWIC report is attached as Appendix B.

At the April 14, 2016 TWIC meeting, staff from the Departments of Conservation and Development and Public Works were directed to review the recommendations and report on how they could be implemented within the County. On May 23, 2016 staff from Conservation and Development, Public Works, the Office of Emergency Services, Health Services, Contra Costa County Fire Protection District and San Ramon Valley Fire District met to

**Appendix D**

discuss the recommendations, what is currently being performed and any additional steps that can be taken to improve in these areas.

Staff reported back to TWIC on June 9, 2016. The June 9, 2016 TWIC report is attached as Appendix C. At that meeting staff were directed to bring a comprehensive report back to TWIC with an update on how we are implementing the recommendations of the Pipeline Safety Report, what we're currently doing or have planned for each of the recommendations, and what other Counties with hazardous materials pipelines are doing regarding land use restrictions for pipelines located near congregate facilities.

**Referral Update:**

Below are the recommendations from the Report's Executive Summary, what the County currently does and what additional steps can be taken.

**The Federal Pipelines and Hazardous Materials Safety Administration (PHMSA) Could:**

- Make information about a pipeline's High Consequence Area designation easily available to the public.
- Adopt regulations to implement the National Transportation Safety Board (NTSB) recommendations regarding needed improvements to the Integrity Management requirements for both gas and hazardous liquid pipelines.
- Adopt stronger regulations requiring automated valves consistent with the NTSB recommendations.
- Adopt stronger regulations that require better leak detection systems in hazardous liquid pipelines that could affect high consequence areas, and provide a clear performance standard for computational pipeline monitoring systems.

*Response: When the County has an opportunity to provide input on state and federal legislation, the County may take a position and provide comments to the appropriate agency. The Public Works Department sent the report to PHMSA on August 2, 2016 for their review and consideration.*

**The State of California Could:**

- Enforce excavation damage prevention laws. Currently authority is held with the Attorney General's office, but there is not adequate staffing or resources to respond to notifications of alleged violations or to investigate. Other agencies respond on a fragmented basis depending on the damaged utility involved.
- Work with the California Department of Education (CDE) on ways to implement CDE's suggestions for reducing the probability of a pipeline product release on schools, and reducing the severity and consequences of pipeline releases on schools.

*Response: When the County has an opportunity to provide input on state and federal legislation, the County may take a position and provide comments to the appropriate agency. The Public Works Department sent the report to the State Attorney General and Department of Education on August 2, 2016 for their review and consideration.*

**The California Office of the State Fire Marshal Could:**

- Make their maps, incident and inspection information accessible to the public by posting it online.
- Make information about a pipeline's High Consequence Area designation easily available to the public.
- Adopt regulations to implement the NTSB recommendations regarding needed improvements to the Integrity Management requirements that apply to intrastate hazardous liquid pipelines.



**Appendix D**

- Adopt stronger regulations for intrastate pipelines requiring automated valves that apply to hazardous liquid pipelines along the lines of the NTSB recommendations.
- Adopt stronger regulations for intrastate pipelines that require better leak detection systems in high consequence areas, and that provide a clear performance standard for computational pipeline monitoring systems.

*Response: The Public Works Department sent the report to the Office of the State Fire Marshal on August 2, 2016 for their review and consideration.*

**The California Department of Education Could:**

- Expand School Site Pipeline Risk Analysis and the Potential Pipeline Hazard Mitigation/Management guidance in coordination with emergency response agencies to offer help for schools that already exist in close proximity to pipelines. Lead coordination efforts among the myriad of agencies that offer crisis planning assistance to schools, and suggest minimum information that should be included in these plans regarding pipelines.

*Response: The Public Works Department sent the report to the California Department of Education on August 2, 2016 for their review and consideration.*

**The Contra Costa Board of Supervisors Could:**

- Ensure the single staff point-of-contact for citizens with concerns about multiple utility issues and right of way questions has technical training on safety concerns, adequate resources to conduct regular and broad community outreach (especially along the Iron Horse Trail Corridor), and resources to work in close coordination with other related departments and advisory groups.

*Response: The Public Works Department has a single staff contact [\[1\]](#) for the corridor who is the Iron Horse Corridor Manager. The Corridor Manager works with the utilities, County Survey staff and property owners to address right of way questions. The Corridor Manager interacts with other departments to address corridor concerns and attends advisory committee meetings, as needed to share information with the community. The Department has contacts with all of the utilities and the State Fire Marshal so they can provide expertise, as needed. The Iron Horse Corridor utility contacts are posted on the Iron Horse Corridor website.*

[\[1\] http://www.co.contra-costa.ca.us/413/Iron-Horse-Corridor](http://www.co.contra-costa.ca.us/413/Iron-Horse-Corridor)

- Request appropriate staff conduct an analysis of all congregate facilities located in close proximity to transmission pipelines. Work with other emergency response agencies to develop a list of resources for emergency and evacuation planning expertise for congregate facilities near pipelines that include potential hazards from a pipeline incident, and mitigation strategies for those hazards based on site-specific considerations.

*Response: The Fire District and Health Services will work with Community Awareness and Emergency Response (CAER) to develop a fact sheet to send to the congregate facilities that describes what to consider regarding pipelines when they're developing their emergency plans.*

## Appendix D

*The term congregate will need to be further defined to determine what facilities would receive this information. San Ramon Valley Fire Protection District has an evacuation video developed for this type of scenario that has been promoted to surrounding jurisdictions.*

- Consider adding goals and policies regarding pipelines to the General Plan, and amending Contra Costa County Zoning Code 82.2.010 so that all gas and hazardous liquid transmission pipelines would be subject to land use regulations. Consider additional ordinances pertaining to zoning and land use that are proposed for construction, replacement, modification, or abandonment.

*Response: The Land Use, Transportation and Circulation, Open Space, and Safety elements of the County General Plan contain references to pipelines that transport hazardous materials. The Land Use and Safety elements also contain policies, though they are few and their nature is more suggestive than directive. Because the County does not always have jurisdiction over pipeline projects, amending the General Plan to add goals and policies pertaining directly to pipeline development may have limited value. However, adding policies addressing the relationship of other land uses to pipelines could be useful. Examples of such policies could include, but not be limited to:*

- *Discouraging placement of uses and facilities which primarily house or serve vulnerable or sensitive populations (elderly, ill, children, etc.) within X feet of a hazardous materials pipeline right-of-way.*
- *Requiring deed notifications for all newly subdivided lots within X feet of a hazardous materials pipeline right-of-way.*
- *Encouraging new buildings to be located away from hazardous materials pipeline rights-of-way when such design flexibility exists on the project site.*

*Ordinance Code Section 82-2.010 currently states that pipelines are exempt from the County's zoning regulations. However, on May 24, 2016, the Board of Supervisors adopted an amendment to Section 82-2.010 clarifying that pipelines are subject to Ordinance Code Chapter 84-63, Land Use Permits for Development Projects Involving Hazardous Waste or Hazardous Materials. The amendment becomes effective 30 days after adoption. Staff believes the Ordinance Code provides for proper review of pipelines and sees no compelling need for additional regulation of pipeline construction, replacement, modification, or abandonment. Statutory exemptions exist for replacement/modification of pipelines and often these activities take place under order from a federal or state agency. Pursuant to Chapter 84-63, pipeline projects located more than 300 feet from residential or commercial properties are not "development projects" and therefore do not require a land use permit. If a pipeline is located within 300 feet of such properties and has a hazard score <sup>[2]</sup> of 80 or higher, then a land use permit is required and an environmental review will be performed. The Transportation Risk component of the hazard scoring rates pipelines as the preferred method for transporting hazardous materials relative to truck, rail, and marine vessel.*

## Appendix D

*Discouraging pipeline development through unnecessary regulation could have the unintended consequence of incentivizing the use of less safe transportation methods, especially since increasing the frequency of truck, rail or vessel deliveries typical would not require a County review.*

[2] The hazard score is calculated pursuant to Ordinance Code Section 84-63.1004 and represents a project-specific risk assessment based on the following factors (possible points for each factor are indicated in parentheses): Transportation Risk (0-10); Community Risk – Distance from Receptor (1-30); Community Risk – Type of Receptor (4-7); Facility Risk – Size of Project (Total Amount Change in Tons; 0-30); Facility Risk – Size of Project (Percentage Change; 0-6); and Hazard Category of Material or Waste (1-3).

- Adopt clear policies and deterrents regarding preventing encroachments including review of setback variances by municipal advisory councils or committees and department staff, so that properties and vegetation along utility corridors do not encroach on pipelines.

*Response: The County has clear policies that prevent encroachments. Property owners and contractors are required to apply for a permit to access and/or perform work in the Iron Horse Corridor. The Public Works Department is looking into different methods to communicate this information to property owners adjacent to the Iron Horse Corridor, such as informational letters that remind residents of the corridor property lines, utilities in the corridor and the requirement to call Underground Service Alert when digging. Other possibilities include Board of Supervisors email communication and markers in the corridor designating the property line in various locations. The County and cities along the corridor have setback requirements in place. Utilities companies, specifically Kinder Morgan routinely clears vegetation over their easement. When property owners apply for a setback variance the application may go to the appropriate municipal advisory committee for review and a recommendation.*

- Work in coordination with pipeline operators to develop a technical advisory body that can review the integrity management plans (similar to the Santa Barbara County System Safety Reliability Review Committee) and other technical assessments of the pipelines in order to cultivate informed technical expertise in the county and increase public trust and awareness.

*Response: The Hazardous Materials Commission discussed this recommendation and did not support it.*

### **The Contra Costa County Department of Conservation and Development Could:**

- Consider adding goals and policies regarding pipelines to the General Plan, and amending Contra Costa County Zoning Code 82-2.010 so that all gas and hazardous liquid transmission pipelines would be subject to (and not exempt from) the General and Land Use District regulations (divisions 82 and 84). Consider additional ordinance(s) pertaining to zoning and land use permitting for hazardous liquid pipelines and possibly also intrastate gas transmission pipelines that are proposed for construction, replacement, modification, or abandonment.

*Response: See response to the same recommendation under Board of Supervisors*

- Review all development applications for opportunities to improve existing ingress/egress where currently limited, and where possible, include conditions on approvals to improve connectivity and avoid exacerbation of access problems.

*Response: The Contra Costa County Fire Protection District and San Ramon Valley Fire District review development applications to determine based on the size of the development whether a second access is required. Access requirements are determined by the Contra Costa County Fire Code.*

**The Contra Costa County Health Services Department Could:**

- Expand the scope of the Hazardous Materials Ombudsman and the Hazardous Materials Commission regarding pipelines to provide an ongoing review of pipeline operators' emergency plans and an active role in possible county efforts regarding additional coordinated technical review of pipeline integrity management planning.

*Response: The Hazardous Materials Commission discussed this recommendation and did not support it.*

**The Contra Costa County Public Works Department Could:**

- Plan emergency evacuation ingress/egress for areas in Alamo west of Danville Boulevard and the Iron Horse Corridor where a single east-west pipeline crossing road is the only access for numerous homes and facilities (e.g., Hemme Road, Camille Road) with the goal of creating public accessibility across these 'dead-end' neighborhoods that necessitate crossing the pipeline to access any services.

*Response: The San Ramon Valley Fire Protection District is in the preliminary phase of developing evacuation maps for neighborhoods on the west side of the trail in the Danville area. They have requested feedback from the Danville Police Department and will look at the Alamo area next. The information will be incorporated into a mailer and is anticipated to be sent to residents in fiscal year 2016-17. In some emergency situations, Shelter in Place may be the most appropriate option.*

- Ensure the county has complete and accurate records of corridor and right of way locations and widths. Continue to coordinate with Kinder Morgan and other utilities on resolution of encroachments into pipeline rights of way.

*Response: The County has current maps that show property lines and utility easements. Staff continues to work with the utilities and property owners to address encroachments.*

**The Contra Costa County Office of Public Education and Local School Districts Could:**

- Expand emergency preparedness resources to include information about pipelines and pipeline-specific risks. Assist individual schools in developing crisis plans and emergency preparedness plans that include pipelines on the emergency maps and assess how ingress/egress may be affected by a pipeline incident.

*Response: As stated in the previous response, CAER will include pipeline information in the next update to the Model Emergency Plan for Schools which can be used to prepare school site specific emergency preparedness plans.*

### **The Contra Costa County Community Awareness and Emergency Response (CAER) Group Could:**

- Include specific reference to oil and gas pipeline in the list of potential hazards listed in the hazard assessment in the next update to the Model Emergency Plan for Schools.

*Response: CAER will address this in the next update to the Model Emergency Plan for Schools.*

### **Pipeline Operators Could:**

- Reach out to the schools along pipeline easements and offer to provide technical assistance assessing pipeline risks and evacuation strategies given possible incidents that could occur in close proximity to the schools.
- Consistently undertake assessments of existing Right of Way encroachments to determine whether there are safety implications. Coordinate with Contra Costa County to resolve encroachments with neighboring property owners.
- Become members of the Contra Costa County Community Awareness and Emergency Response Group, and participate consistently in quarterly meetings and responses.
- Contract for an independent technical seismic vulnerability study on HCA pipelines affected by potentially active faults to feed into the pipeline risk analysis, and make the study available to the public.
- Work in coordination with the Board of Supervisors to develop a technical advisory body that can review the integrity management plan (similar to the Santa Barbara County System Safety Reliability Review Committee) and other technical assessments of the pipelines in order to cultivate informed technical expertise in the county and increase public trust and awareness. *As stated in the TWIC report dated April 14, 2016, the Hazardous Materials Commission did not support this recommendation.*

*Response: The Public Works Department sent the report on August 2, 2016 to all of the pipeline operators that have franchise agreements with Contra Costa County for their review and consideration.*

### **Local Fire Districts Could:**

- Designate a single point-of-contact to coordinate with pipeline operators, familiarize themselves with the operators' emergency response and spill response plans, know the facilities where people congregate (schools, churches, hospitals, nursing facilities, etc.) in close proximity to the pipeline, and be involved with any emergency planning done by those facilities.

*Response: The local Fire Districts will coordinate pipeline operators as determined by each local agency, to exchange information regarding emergency response plans. Local Fire Districts will support facilities located in close proximity to the pipeline with emergency planning resources when requested by the facility administrator.*

At the June TWIC meeting the Committee directed staff to research how other Counties are restricting or managing pipelines. Below is a sample of policies from Sonoma, Solano, San Joaquin, Kern, and Sacramento Counties:

### **Sonoma County:**

1. County Zoning Ordinance section 29-7– requires a consolidated permit to store or handle hazardous materials. Consolidated permits issued pursuant to this chapter shall be valid for 3 years. Facilities must submit updated information and fees annually.
2. General Plan Public Facilities and services element, Policy PF-2T – Review proposals for new transmission lines or acquisition of easements for new transmission lines for consistency with GP. Request wherever feasible that such facilities not be located within designated community separators or biotic resource areas. Give priority to the use of existing utility corridors over new ones.
3. General Plan Open Space and Resource Conservation Element – Review and condition proposed natural gas wells through use permit process.

### **Solano County:**

1. County Zoning Ordinance Section 28.78.20 (B) (8) Pipeline... inside of R.O.W.- Public utility, electric, gas, water, oil, and telephone transmission and distribution lines shall be permitted in any district without the necessity of first obtaining a use permit; provided, that maps showing proposed routes of such heights and right-of-way widths, shall be submitted to the Planning Commission, and routes mutually acceptable to the Planning Commission and utility agencies concerned shall be determined in writing prior to acquisition of any rights-of-way. Each transmission line route proposal submitted in accordance herewith shall be accompanied by a fee or fees as may be set by the Board of Supervisors by resolution pursuant to Section 11-111 of this Code. No part of such fee shall be refundable.
2. County Zoning Ordinance Section 28.78.20 (B) (9) Pipeline... outside of R.O.W. - All utility accessory uses and structures for transmission or distribution of electricity, gas, water, oil, gasoline, telephone, television or other utility services may be permitted in any district. Utility accessory uses and structures include, but are not limited to, compression, drying, regeneration stations, substations, or pumping stations.
3. County General Plan Resources Element, Policy RSP-55 – Require responsible extraction, storage and transportation of natural gas resources that minimize impacts on the environment.

### **San Joaquin County:**

1. Zoning Ordinance Section 9-1155.2(b)Location for Underground Facilities - Underground distribution facilities for public utilities shall be located in a public right-of-way or public utility easement. No public utility distribution facilities shall be located outside a public right-of-way or public utility easement except in providing service to the parcel on which they are located.
2. General Plan Vol 3, Ch. 2. Section D, pages 35-36 – Policies on oil and natural gas lines – Concerns over the hazardous nature of the product being transported require pipeline systems be constantly monitored and accessible. Major pipelines, particularly pumped systems, require periodic control centers which function as monitoring stations as well as flow regulation and service access points. Physical access to the system is assured through dedicated R.O.W. and visual inspection of the system over difficult terrain is accomplished

**Appendix D**

by aerial patrolling....A major source of natural gas within the county is in the form of several local gas fields. Pipes conveying gas after odorizing and dehydration at source vary from 4"-12" in diameter. The operation of these fields is undertaken by private concerns with PG&E contracting to buy and distribute... The design and operation guidelines of such systems is subject to conformity with CPUC General Order #112D.

**Kern County:**

1. County Ordinance Chapter 19.98 – Oil and Gas Production – Oil and gas activities in the County are divided into 5 tier areas.
  - Tier 1 Area is defined as all areas in which oil and gas activity is the primary land use. The existing well and activity densities preclude almost all other uses except for passive uses such as grazing.
  - Tier 2 Area is defined as all areas that are classified exclusive agriculture (A) or limited agriculture (A-1) districts, have agriculture as the primary surface land use, and are not included in Tier 1.
  - Tier 3 Area is defined as other areas not within a Tier 1 Area that are located in one (1) of the following zone districts: Natural resources, recreational forestry, light industrial, medium industrial, heavy industrial, floodplain primary, drilling island, petroleum extraction combining districts
  - Tier 4 Area is defined as areas not within Tier 1, 2, or 3, that include at least one (1) of the following zone districts: estate, low/med/high density residential, commercial zoning districts, mobile home park
  - Tier 5 are areas including all current and future specific plan boundaries either adopted with a Special Planning (SP) District or which include specific provisions for oil and gas operations. Oil or gas exploration and production activities would be allowed with a conditional use permit or as permitted by the regulations contained within the adopted specific plan in Tier 5 areas.

Ministerial permits for tiers 1,2,3, 5 available after applying for oil and gas conformity review or minor activity review (applies only to first 3,647 new well permits in a calendar year, 3,648<sup>th</sup> such permit requires conditional use permit)

Conditional use permit required for tier 4.

\*Pipelines subject to Minor activity review, no conditional use permit required

**Sacramento County:**

1. County Zoning Ordinance Section 301-13 – If not otherwise authorized as a permitted or conditional use... in this code, the project planning commission may, after public hearings..., permit a public utility or public service use as a conditional use in any zone if the commission determines that the use is necessary for the public health, convenience, safety, or public welfare.
2. County Zoning Ordinance Section 301-19 – Oil and/or gas sites proposed to be developed on either industrial or agriculturally zoned land shall not be located within 1000 feet of the boundary of property zoned for residential, interim residential, interim estate, or recreational purposes. Additionally, no proposed oil and/or gas well site shall be located within 300 feet of a structure used for human habitation.
3. General Plan Public Facilities Element Policy PF-112 – New natural gas wells are subject to permitting process as regulated by the State Conservation Department, Division of Oil, Gas, and Geothermal resources, as well as Sacramento County Zoning Code 301-19
4. General Plan Public Facilities Element Policy PF-113 – Route new gas mains within existing railway and electric transmission corridors, along collector roads and, whenever possible, within existing easements. If not feasible, gas mains shall be placed as close to easements as possible.



## Appendix D

[1] <http://www.co.contra-costa.ca.us/413/Iron-Horse-Corridor>

[2] The hazard score is calculated pursuant to Ordinance Code Section 84-63.1004 and represents a project-specific risk assessment based on the following factors (possible points for each factor are indicated in parentheses): Transportation Risk (0-10); Community Risk – Distance from Receptor (1-30); Community Risk – Type of Receptor (4-7); Facility Risk – Size of Project (Total Amount Change in Tons; 0-30); Facility Risk – Size of Project (Percentage Change; 0-6); and Hazard Category of Material or Waste (1-3).

## Recommendation(s)/Next Step(s):

CONSIDER report summarizing the Pipeline Safety Trust Report and staff reports in response to the recommendations, and DIRECT staff to submit the full report to the Board of Supervisors for consideration.

## Fiscal Impact (if any):

No fiscal impact.

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Attachments-Y

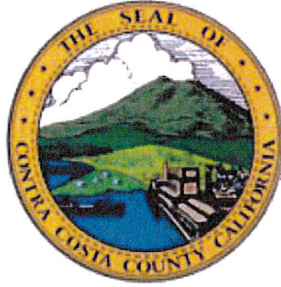
Appendix A

Appendix B

Appendix C

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

7.

Meeting Date: 06/09/2016

Subject: CONSIDER Department responses to the Pipeline Safety Report and DIRECT staff on next steps.

Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,

Department: Conservation & Development

Referral No.: 15

Referral Name: Monitor the Iron Horse Corridor Program

Presenter: Carrie Ricci, Department of Public Contact: Carrie Ricci (925)313-2235 Works, and John Cunningham,  
Department of Conservation and Development

#### Referral History:

At the April meeting of the Transportation, Water and Infrastructure Committee (TWIC), Michael Kent, Executive Assistant to the Hazardous Materials Commission presented the Pipeline Safety Report that was developed by the Pipeline Safety Trust.

The Hazardous Materials Commission supported seven of the nine recommendations moving forward. TWIC directed staff from the Departments of Conservation and Development and Public Works to review the recommendations and report on how they could be implemented within the County.

#### Referral Update:

On May 23, 2016 staff from the Departments of Conservation and Development and Public Works met with staff from the Office of Emergency Services, Health Services, Contra Costa County Fire Protection District and San Ramon Valley Fire District to discuss the following recommendations, what is currently being performed and any additional steps that can be taken to improve in these areas.

Recommendation: Review all development applications for opportunities to improve existing ingress/egress where currently limited, and where possible, include conditions on approvals to improve connectivity and avoid exacerbation of access problems.

*Response: The Contra Costa County Fire Protection District and San Ramon Valley Fire District review development applications to determine based on the size of the development whether a second access is required. Access requirements are determined by the Contra Costa County Fire Code.*

**AIA Comment:** Although these requirements may work well for specific developments, the concern of the Pipeline Safety Trust's report is for neighborhoods that typically involve several developments approved over time that do not consider the total neighborhood's access/egress. Currently there appears to be no ability to coordinate access/egress among more than one development. A suggestion would be to add this access/egress review requirement to the checklist of items for each development so the review also considers existing neighboring developments.

Recommendation: Plan emergency evacuation ingress/egress for areas in Alamo west of Danville Boulevard and the Iron Horse Corridor where a single pipeline crossing road is the only access for numerous homes and facilities Appendix C with the goal of creating public accessibility across these "dead-end" neighborhoods that necessitate crossing the pipeline to access any services.

*Response: The San Ramon Valley Fire Protection District is in the preliminary phase of developing evacuation maps for neighborhoods on the west side of the trail in the Danville area. They have requested feedback from the Danville Police Department and will look at the Alamo area next. The information will be incorporated into a mailer and is anticipated to be sent to residents in fiscal year 2016-17. In some emergency situations, Shelter in Place may be the most appropriate option.*

**AIA Comment:** Given the potential explosive nature of a pipeline emergency, it would be of help to study other communities experience with this type of disaster. We can learn from San Bruno's experience when product continued to flow through a break in the pipeline. The Kinder Morgan pipeline has manual turnoff valves located 10 miles apart in this section, on the north edge of Alamo and the south edge of Danville. The pipeline elevation decreases from south to north. Although the pipeline can be turned off at the KM main control center, no one can turn off the effects of gravity on 210,000 gallons of product (diesel, kerosene, high octane jet fuel) flowing through a break in this section of the pipeline. This amount would be twice the size of the Santa Barbara spill in 2015. Sheltering in place may not be an option, it was not for San Bruno residents located close to the pipeline break.

Recommendation: Ensure the County has complete and accurate records of corridor and right of way locations. Continue to coordinate with Kinder Morgan and other utilities on resolution of encroachments into pipeline rights of way.

*Response: The County has current maps that show property lines and utility easements. Staff continues to work with the utilities and property owners to address encroachments.*

Recommendation: Ensure the single staff point-of-contact for citizens with concerns about multiple utility issues and right of way questions has technical training on safety concerns, adequate resources to conduct regular and broad community outreach (especially along the Iron Horse Trail Corridor), and resources to work in close coordination with other related departments and advisory groups.



*Response: The Public Works Department has a single staff contact for the corridor who is the Iron Horse Corridor Manager. The Corridor Manager works with the utilities, County Survey staff and property owners to address right of way questions. The Corridor Manager interacts with other departments to address corridor concerns and attends advisory committee meetings, as needed to share information with the community. The Department has contacts with all of the utilities and the State Fire Marshal so they can provide expertise, as needed.*

**AIA Comment:** We support better coordination of record keeping between all stake holders and all communication and community outreach efforts by CCCounty Public Works to address Iron Horse Corridor Concerns. We would like to invite the Iron Horse Corridor Manager to attend and participate in one or more of our public meetings to share information with the Alamo Community.

**Recommendation:** Request appropriate staff conducts an analysis of all congregate facilities located in close proximity to transmission pipelines. Work with other emergency response agencies to develop a list of resources for emergency and evacuation planning expertise for congregate facilities near pipelines that include potential hazards from a pipeline incident, and mitigation strategies for those hazards based on site-specific considerations.

*Response: The Fire District and Health Services discussed working with Community Awareness and Emergency Response (CAER) to develop a fact sheet to send to the congregate facilities that describes what to consider regarding pipelines when they're developing their emergency plans. The term congregate will need to be further defined to determine what facilities would receive this information. San Ramon Valley Fire Protection District has an evacuation video developed for this type of scenario that has been promoted to surrounding jurisdictions.*

**AIA Comment:** We support all efforts for emergency planning. Our question would be if these congregate facilities are actually aware of or will be informed of the location of pipelines within their immediate area and how this will be done/documented.

**Recommendation:** Adopt clear policies and deterrents regarding preventing encroachments including review of setback variances by municipal advisory councils or committees and department staff, so that properties and vegetation along utility corridors do not encroach on pipelines.

*Response: The County has clear policies that prevent encroachments. Property owners and contractors are required to apply for a permit to access and/or perform work in the Iron Horse Corridor. The Public Works Department is looking into different methods to communicate this information to property owners adjacent to the Iron Horse Corridor, such as informational letters that remind residents of the corridor property lines, utilities in the corridor and the requirement to Appendix C call Underground Service Alert when digging. Other possibilities include Board of Supervisors email communication and markers in the corridor designating the property line in various locations. The County and cities along the corridor have setback requirements in place. Utilities companies, specifically Kinder Morgan routinely clears vegetation over their easement. When property owners apply for a setback variance the application may go to the appropriate municipal advisory committee for review and a recommendation.*

**AIA Comment:** We support all efforts for better and more frequent communication of setback requirements to property owners located along the Iron Horse Corridor.

Recommendation: Consider adding goals and policies regarding pipelines to the General Plan, and amending Contra Costa County Zoning code 82.2.010 so that all gas and hazardous liquid transmission pipelines would be subject to land use regulations. Consider additional ordinances pertaining to zoning and land use that are proposed for construction, replacement, modification, or abandonment.

*Response: The Land Use, Transportation and Circulation, Open Space, and Safety elements of the County General Plan contain references to pipelines that transport hazardous materials. The Land Use and Safety elements also contain policies, though they are few and their nature is more suggestive than directive. Because the County does not always have jurisdiction over pipeline projects, amending the General Plan to add goals and policies pertaining directly to pipeline development may have limited value. However, adding policies addressing the relationship of other land uses to pipelines could be useful. Examples of such policies could include, but not be limited to:*

- Discouraging placement of uses and facilities which primarily house or serve vulnerable or sensitive populations (elderly, ill, children, etc.) within X feet of a hazardous materials pipeline right-of-way.*
- Requiring deed notifications for all newly subdivided lots within X feet of a hazardous materials pipeline right-of-way.*
- Encouraging new buildings to be located away from hazardous materials pipeline rights-of way when such design flexibility exists on the project site.*

*Ordinance Code Section 82-2.010 currently states that pipelines are exempt from the County's zoning regulations. However, on May 24, 2016, the Board of Supervisors adopted an amendment to Section 82-2.010 clarifying that pipelines are subject to Ordinance Code Chapter 84-63, Land Use Permits for Development Projects Involving Hazardous Waste or Hazardous Materials. The amendment becomes effective 30 days after adoption.*

*Staff believes the Ordinance Code provides for proper review of pipelines and sees no compelling need for additional regulation of pipeline construction, replacement, modification, or abandonment. Statutory exemptions exist for replacement/modification of pipelines and often these activities take place under order from a federal or state agency. Pursuant to Chapter 84-63, pipeline projects located more than 300 feet from residential or commercial properties are not "development projects" and therefore do not require a land use permit. If a pipeline is located within 300 feet of such properties and has a hazard scoreAppendix C [1] of 80 or higher, then a land use permit is required and an environmental review will be performed.*



*The Transportation Risk component of hazard scoring rates pipelines as the preferred method for transporting hazardous materials, relative to truck, rail, and marine vessels. Discouraging pipeline development through unnecessary regulation could have the unintended consequence of incentivizing the use of less safe transportation methods, especially since increasing the frequency of truck, rail or vessel deliveries typical would not require a County review.*

**AIA Comment:** We support the Board of Supervisors amendment to Ordinance 80-2.010. We would like to see proactivity in Pipeline Safety matters, so our comment would be that they “should” (instead of “could”) include but are not limited to the items shown.

During the last 10 months, the California State Legislature had enacted

### **Petroleum Pipelines**

**SB 295** – State Fire Marshal “Annual Inspection of all Intrastate Petroleum Pipelines”

**AB 864** – State Fire Marshal “Testing of all California Coastal Petroleum Pipelines”, Contra Costa County is included in this for the areas close to the Bay/Straits. (October, 2015)

### **Gas Pipelines**

**AB 1420** – Division of Oil, Gas and Geothermal Resources – “Testing every Two Years” requirement for all active gas lines located in sensitive areas. (October, 2015)

**AB 2856** – PUC to require “Automatic Shutoff Valves/Remote Controlled Sectionalized Block Valve in all high consequences areas and where lines travers an active seismic earthquake fault”. (Feb. 2016)

As enforcement of these new regulations by both the State Fire Marshal’s office, The California State Division of Oil, Gas and Geothermal Resources and the PUC moves forward, our question is how will CCCounty remain current and coordinate our local County regulations with these? AIA plans to present these to the County Legislative Committee and request they be added to the County’s Legislative Platform.

[1] The hazard score is calculated pursuant to Ordinance Code Section 84-63.1004 and represents a project-specific risk assessment based on the following factors (possible points for each factor are indicated in parentheses): Transportation Risk (0-10); Community Risk – Distance from Receptor (1-30); Community Risk – Type of Receptor (4-7); Facility Risk – Size of Project (Total Amount Change in Tons; 0-30); Facility Risk – Size of Project (Percentage Change; 0-6); and Hazard Category of Material or Waste (1-3).

Recommendation(s)/Next Step(s):

CONSIDER Department responses to the Pipeline Safety Report and DIRECT staff on next steps.

Fiscal Impact (if any):

N/A



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: September 27, 2016

Subject: APPROVE and AUTHORIZE a contract with ECS Imaging, Inc.

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with ECS Imaging, Inc., in an amount not to exceed \$307,908, to implement Laserfiche, an electronic records content management system, for the period of October 1, 2016 through September 30, 2019, Countywide.

**FISCAL IMPACT:**

The contract will be funded by various Public Works funds, including the General Fund.

**BACKGROUND:**

The Public Works Department is heavily reliant on paper records, such as: project files, as-built maps, flood control maps, and road right-of-way maps. Currently these records are stored physically, but can be difficult or tedious to find. The Department has developed the following priorities and long-term goals regarding records storage:

- Create a consistent process for management of electronic documents;
- Generate less paper;
- Replace at-risk data assets (such as paper, microfilm, vellum) with electronic versions;
- 

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Carrie Ricci, (925)  
313-2235

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

By: , Deputy

cc:



#### BACKGROUND: (CONT'D)

Develop workflows for efficiency;

- Implement a records retention policy; and
- Provide a public portal for records access.

On May 1, 2014, the Public Works Department entered into a contract with ECS to conduct a preliminary needs assessment for the Department, develop a Project Plan based on the findings from the needs assessment, and implementation of Laserfiche for two Department Divisions (Capital Projects and Maintenance). The Department then entered into a contract that focused on implementation of the Project Plan for the thirteen additional divisions, upgrading the existing Laserfiche software and purchase of 100 additional licenses and annual support.

When the Public Works Department selected ECS Imaging, Inc. in 2014, the Department had recently merged with the General Services Department which was on a different computer network and not included in the Laserfiche implementation. Now that all former General Services divisions are on the Public Works network we are entering into a contract with ECS to implement Laserfiche within those divisions. We will have the same ECS Imaging project manager who is working with each division to ensure consistency in how we manage records department wide.

#### CONSEQUENCE OF NEGATIVE ACTION:

Without approval of the contract, Public Works will continue to be heavily reliant on paper records.



**Contra  
Costa  
County**

To: Board of Supervisors

From: Robert Campbell, Auditor-Controller

Date: September 27, 2016

Subject: Accept Annual Report on Revolving and Cash Difference Funds, Overage Fund, and Shortages for fiscal year 2015/2016 from the County Auditor-Controller

---

**RECOMMENDATION(S):**

ACCEPT the Annual Report on Revolving and Cash Difference Funds, Overage Fund, and Shortages for fiscal year 2015/2016.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

Provisions of Government Code Sections 29321.1 and 29370.1 and Contra Costa County Board of Supervisors Resolution No. 92/525 authorize the County Auditor-Controller to establish, increase, reduce, or discontinue Revolving Funds and Cash Difference Funds. Provisions of Government Code Sections 29380.1 and 29390.1 and Contra Costa County Board of Supervisors Resolution No. 83/1062 authorize the County Auditor-Controller to replenish the Cash Difference Funds and to transfer money in the Overage Fund to the General Fund. With respect to those authorities and to conform with Government Code Sections 29321.1, 29370.1, 29380.1, and 29390.1, the County Auditor-Controller submits this report showing the officers and details of the balances of the Revolving and Cash Difference Funds, Overage Fund, and Shortages for fiscal year 2015/2016.

**CONSEQUENCE OF NEGATIVE ACTION:**

The County Auditor-Controller would not comply with Government Code Sections 29321.1, 29370.1, 29380.1, and 29390.1.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Joanne Bohren,  
925-335-8640

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

By: , Deputy

cc: Timothy Ewell, Senior Deputy County Administrator

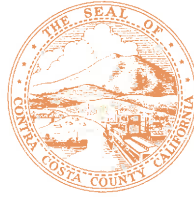
## ATTACHMENTS

2015-2016 Report on Revolving and Cash Difference Funds, Overages,  
Shortages

Office of the Auditor-Controller  
**Contra Costa County**

**Robert R. Campbell**  
Auditor-Controller

625 Court Street  
Martinez, California 94553-1282  
Phone (925) 646-2181  
Fax (925) 646-2649



**Elizabeth A. Verigin**  
Assistant Auditor-Controller

**Harjit S. Nahal**  
Assistant Auditor-Controller

September 9, 2016

TO: Honorable Board of Supervisors

FROM: Robert R. Campbell, Auditor-Controller

A handwritten signature in blue ink, appearing to be "R", is written over the printed name of Robert R. Campbell.

SUBJECT: Annual Report on Revolving and Cash Difference Funds, Overage Fund, and Shortages

---

Provisions of Government Code Sections 29321.1 and 29370.1 and the Contra Costa County Board of Supervisor's Resolution No. 92/525 authorize the County Auditor-Controller to establish, increase, reduce or discontinue Revolving Funds and Cash Difference Funds.

Provisions of Government Code Sections 29380.1 and 29390.1 and the Contra Costa County Board of Supervisor's Resolution No. 83/1062 authorize the County Auditor-Controller to replenish the Cash Difference Funds and to transfer money in the Overage Fund to the General Fund.

With respect to those authorities and to conform to Government Code Sections 29321.1, 29370.1, 29380.1, and 29390.1, this report is submitted to show the details of the following balances as of and for the year ended June 30, 2016.

Revolving and Cash Difference Funds within General Fund 100300	\$ 306,195.00
Other Revolving Funds	39,570.82
Overage	776.54
Shortages	4,396.56

Balances of Revolving Funds and Cash Difference Funds Within General Fund 100300

<b>Account #</b>	<b>Title</b>	<b>Officer</b>	<b>Amount</b>
0020-0004	Building Inspection	John Kopchik, Director	\$ 2,150.00
0020-0005	Probation	Todd Billeci, Probation Officer	4,550.00
0020-0008	Sheriff-Coroner	David O. Livingston, Sheriff-Coroner	18,615.00
0020-0009	Social Services	Kathy Gallagher, Director	12,000.00
0020-0011	In Home Support Services	Kathy Gallagher, Director	500.00
0020-0012	Public Works Petty Cash	Julie Bueren, Director	3,640.00
0020-0013	Personnel Petty Cash	Lisa Lopez, Assistant Director	700.00
0020-0014	Agriculture Petty Cash	Chad A. Godoy, Commissioner-Director	450.00
0020-0016	Treasurer-Tax Collector	Russell V. Watts, Treasurer-Tax Collector	895.00
0020-0017	County Counsel	Sharon Anderson, County Counsel	50.00
0020-0019	County Administrator	David Twa, County Administrator	100.00
0020-0023	County Clerk-Recorder	Joseph Canciamilla, Clerk-Recorder	2,240.00
0020-0027	Health Services	William Walker, MD, Director	520.00
0020-0032	Auditor-Controller	Robert R. Campbell, Auditor-Controller	200.00
0020-0035	Community Services	Kathy Gallagher, Director	3,700.00
0020-0037	District Attorney	Mark A. Peterson, District Attorney	50,000.00
0020-0039	Public Defender	Robin Lipetzky, Public Defender	1,000.00
0020-0041	Office of Emergency Services	David O. Livingston, Sheriff-Coroner	100.00
0020-0043	Animal Services	Sarah E. Ward, Director	1,350.00
0020-0045	Veterans' Resources Center	Nathan D. Johnson, Veteran's Services Officer	50.00
0020-0046	Assessor	Gus S. Kramer, Assessor	160.00
0020-0047	Child Support Services	Linda Dippel, Director	600.00
0020-0049	EHS Immediate Need Imprest	Kathy Gallagher, Director	200,000.00
0020-0051	Public Administrator	William Walker, MD, Director	2,000.00
0020-0052	Training Institute	David Twa, County Administrator	200.00
0020-0053	MAC Bay Point	Federal D. Glover, Supervisor, District V	100.00
0020-0054	MAC El Sobrante	John M. Gioia, Supervisor, District I	100.00
0020-0055	Kensington MAC	John M. Gioia, Supervisor, District I	200.00
0020-0057	MAC Rodeo	Federal D. Glover, Supervisor, District V	<u>25.00</u>
<b>Total</b>			<b><u>\$ 306,195.00</u></b>

Balances of Revolving Funds and Cash Difference Funds Other Than General Fund

<b>Fund &amp; Account #</b>	<b>Title</b>	<b>Officer</b>	<b>Amount</b>
113100-0020	DA Forfeiture-Fed DOJ	Mark A. Peterson, District Attorney	\$ 3,500.00
120600-0020	County Library	Theresa Speiker, Interim County Librarian	2,710.00
131100-0010	Treasurer-Tax Collector	Russell V. Watts, Treasurer-Tax Collector	(17,689.18)
140100-0020	Airport Enterprise	Julie Bueren, Director	400.00
145000-0020	Hospital Enterprise	William Walker, MD, Director	37,000.00
202000-0020	CCC Fire Protection	Chief Jeffrey A. Carman	500.00
248900-0020	County Service Area M-17	Julie Bueren, Director	5,000.00
275800-0020	County Service Area R-7	Julie Bueren, Director	5,000.00
276000-0020	County Service Area R-10	Julie Bueren, Director	3,000.00
816100-0020-0048	Law Library Trust	Carey Rowan, Director	<u>150.00</u>
		<b>Total</b>	<b><u>\$ 39,570.82</u></b>

Overages

Overage Fund 810900

<b>Account #</b>	<b>Title</b>	<b>Amount</b>
OF 5000015	Treasurer-Tax Collector's Office	\$ 23.47
OF5000016	Assessor's Office	11.89
OF 5000355	Recorder's Office	397.72
OF 5000366	Animal Services	126.00
OF 5001624	EHSD	0.66
OF 5002601	Conservation and Development	(1.90)
OF 5000242	District Attorney	5.00

Fund #

120600-0621	County Library*	<u>213.70</u>
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<b>Grand Total</b>	<b>\$ <u>776.54</u></b>
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Overages were transferred to General Fund Revenue on August 5, 2016, as permitted by Government Code Section 29380.1.

\*Library overages have been deposited to the County Library Fund.



Shortages

<b>Fund and Account #</b>	<b>Title</b>	<b>Amount</b>
100300-0002	Clerk of the Board	\$ 250.00
100300-0015	Treasurer-Tax Collector	1,437.00
100300-0016	Assessor	3.00
100300-0242	District Attorney	296.79
100300-0243	Public Defender	79.00
113400-0249	Child Support Services	100.00
100300-0308	Probation	1,000.00
100300-0355	County Clerk-Recorder	133.00
100300-0366	Animal Services	50.39
100300-0450	Health Services- Alcohol & Other Drug Services	65.40
145000-0540	Health Services- Hospital Enterprise	540.88
100300-0621	Library	15.00
248900-7489	Public Works- Montalvin	200.00
276000-7770	Public Works- Rodeo	<u>226.10</u>
	<b>Total</b>	<b><u>\$ 4,396.56</u></b>

Shortages were replenished during fiscal year 2015-2016 in accordance with Government Code Section 29390.1.



Contra  
Costa  
County

To: Board of Supervisors

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

Date: September 27, 2016

Subject: Approve Demolition of 3939 Bissell Avenue, Richmond and 343 Rodeo Avenue, Rodeo and Related Actions Under CEQA

---

**RECOMMENDATION(S):**

APPROVE the demolition projects located at 3939 Bissell Avenue, Richmond and 343 Rodeo Avenue, Rodeo (Project No. WLP130 & WLP131, DCD-CP#16-44), and DETERMINE the projects are a California Environmental Quality Act (CEQA), Class 1(l) and Class 12 Categorical Exemption, pursuant to Section 15301 (l) and Section 15312 of the CEQA Guidelines; and DIRECT the Director of Conservation and Development to file a Notice of Exemption with the County Clerk, and AUTHORIZE the Public Works Director to arrange for payment of a \$25 fee to Department of Conservation and Development for processing, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

**FISCAL IMPACT:**

100% General Fund

**BACKGROUND:**

The structures located at 3939 Bissell Avenue, Richmond, were previously leased to Ujima Family Recovery Services, a non-profit

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Jewel Lopez, (925)  
313-2337

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

By: , Deputy

cc:

#### BACKGROUND: (CONT'D)

agency dedicated to helping families recover from alcoholism, drug addiction and behavioral health problems. In 2014 Ujima relocated and the structures have been vacant. On August 15, 2016, a fire occurred due to trespassers. The structures have since been red tagged and have now become a health and safety issue. General Plan Conformance was obtained from the City of Richmond. The structure located at 343 Rodeo Avenue in Rodeo, also known as the Rodeo Veterans Memorial Building, has been vacant since the War Memorial Hall Association terminated the lease on November 18, 2008. Due to significant damages throughout the interior and flooding in the basement, County staff recommends demolishing the building.

#### CONSEQUENCE OF NEGATIVE ACTION:

The structures will continue to be a health and safety issue due to their deteriorating conditions and the County would continue to own and maintain these structures.

#### ATTACHMENTS

CEQA, 3939 Bissell & 343 Rodeo

Maps, 3939 Bissell & 343 Rodeo

Contra  
Costa  
County

PUBLIC WORKS DEPARTMENT  
INITIAL STUDY OF  
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER# **WLG130 & WLG131**  
CP# 16-44

PROJECT NAME: 3939 Bissell Ave., Richmond & 343 Rodeo Ave., Rodeo  
- Structure Demolition and Sale of Surplus Property

PREPARED BY: Trina Torres

DATE: September 8, 2016

APPROVED BY: [Signature]

DATE: 9-12-16

RECOMMENDATIONS:

☒ **Categorical Exemption** [Class 1(I) & Class 12]

☐ Negative Declaration

☐ Environmental Impact Report Required

☐ Conditional Negative Declaration

The project will not have a significant effect on the environment. The recommendation is based on the following: The project consists of the minor alteration of existing public structures, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; pursuant to section 15301(I) of the CEQA guidelines; and the sale of surplus government property, pursuant to Section 15312 of the CEQA guidelines. The project will not result in the removal of any scenic resource.

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

USGS Quad Sheets:  
Richmond & Benicia

Base Map Sheets #: E-7 & L-4

Parcels #: APNs#517-320-018,  
517-320-019, & 357-081-015

GENERAL CONSIDERATIONS:

1. **Location:** 3939 Bissell Ave., Richmond, CA, and 343 Rodeo Ave., Rodeo, CA (Figures 1-5)
2. **Project Description:** The project consists of demolishing vacant County-owned buildings due to damage and resulting safety issues at two locations; and, sale of the vacant lots.
  - **3939 Bissell Ave., Richmond, CA (APN#517-320-018 & 517-320-019):** The one story-modular building and two storage sheds have been vacant since 2014. In August, a fire occurred and the structures have been red tagged as a health and safety issue. [Figures 1, 2, & 3]
  - **343 Rodeo Ave., Rodeo, CA (APN#357-081-015):** The Veterans Memorial building has been vacant since November 2008 and has significant interior and water damage. [Figures 1, 4, & 5]

The demolition of the structures will be executed consistent with federal, state, and local laws and regulations. The structures are vacant and the County determined that the properties are no longer necessary for County purposes. Therefore, the County plans to demolish the structures and sell the vacant lots as surplus property.

General Plan Conformance may be necessary from the City of Richmond.

3. **Does it appear that any feature of the project will generate significant public concern?**  
☐ yes ☒ No ☐ maybe (Nature of concern):
4. **Will the project require approval or permits by other than a County agency?**  
☐ yes ☒ No
5. **Is the project within the Sphere of Influence of any city?** Yes: City of Richmond

## 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: 3939 Bissell Ave., Richmond (APN#517-320-018 & 517-320-019) &  
343 Rodeo Ave., Rodeo (APN#357-081-015) - Structure Demolition  
and Sale of Surplus Property. WLG130 & WLG131 [CP#16-44]

Project Applicant: Contra Costa County Public Works Department

Project Location -- Specific: 3939 Bissell Ave., Richmond & 343 Rodeo Ave., Rodeo

Project Location: Richmond and Rodeo

Project Location -- County: West Contra Costa County

**Description of Nature, Purpose and Beneficiaries of Project:** The project consists of demolishing vacant County-owned buildings due to damage and resulting safety issues at two locations; and, sale of the vacant lots.

- 3939 Bissell Ave., Richmond, CA (APN#517-320-018 & 517-320-019): The one story-modular building and two storage sheds have been vacant since 2014. In August, a fire occurred and the structures have been red tagged as a health and safety issue.
- 343 Rodeo Ave., Rodeo, CA (APN#357-081-015): The Veterans Memorial building has been vacant since November 2008 and has significant interior and water damage.

The demolition of the structures will be executed consistent with federal, state, and local laws and regulations. The structures are vacant and the County determined that the properties are no longer necessary for County purposes. Therefore, the County plans to demolish the structures and sell the vacant lots as surplus property.

General Plan Conformance may be necessary from the City of Richmond.

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

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

**Exempt Status:**

- |   |   |
|---|---|
| <input type="checkbox"/> Ministerial Project (Sec. 21080(b)(1); 15268;      | <input checked="" type="checkbox"/> <u>Categorical Exemption: Class 1(I) &amp; Class 12</u> |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a));   | <input type="checkbox"/> Other Statutory Exemption, Code No.: _____                         |
| <input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269(b)(c)); | <input type="checkbox"/> General Rule of Applicability [Article 5, Section 15061 (b)(3)]    |

**Reasons why project is exempt:** The project consists of the minor alteration of existing public structures, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; pursuant to section 15301(I) of the CEQA guidelines; and the sale of surplus government property, pursuant to Section 15312 of the CEQA guidelines. The project will not result in the removal of any scenic resource.

Lead Agency Contact Person: Trina Torres - Public Works Dept. Area Code/Telephone/Extension: (925) 313-2176

If filed by applicant:

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

☐ Signed by Lead Agency ☐ Signed by Applicant

**AFFIDAVIT OF FILING AND POSTING**

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

Signature \_\_\_\_\_

Title \_\_\_\_\_

**Applicant:**

Public Works Department  
255 Glacier Drive  
Martinez, CA 94553  
Attn: Trina R. Torres  
Environmental Services Division  
Phone: (925) 313-2176

**Department of Fish and Game Fees Due**

- ☐ EIR - \$3,070.<sup>00</sup>  
☐ Neg. Dec. - \$2,210.<sup>25</sup>  
☐ DeMinimis Findings - \$0  
☒ County Clerk - \$50  
☒ Conservation & Development - \$25

Total Due: \$ 75.<sup>00</sup>

Total Paid \$ \_\_\_\_\_

Receipt #: \_\_\_\_\_

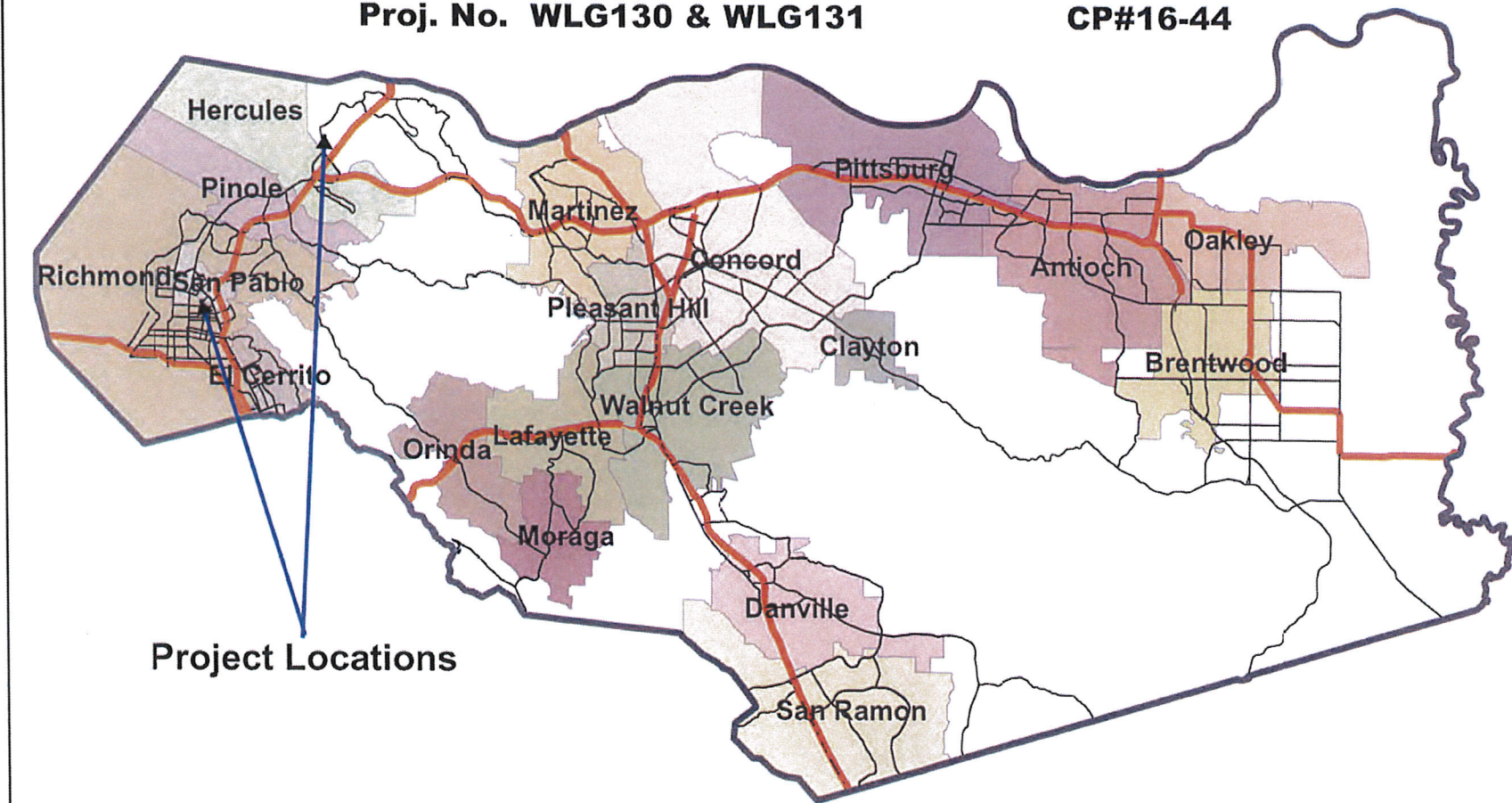


# Contra Costa County

## 3939 Bissell Ave., Richmond & 343 Rodeo Ave., Rodeo -Structure Demolition and Sale of Surplus Property

Proj. No. WLG130 & WLG131

CP#16-44



Project Locations



Figure 1

3939 Bissell Ave., Richmond & 343 Rodeo Ave., Rodeo  
 -Structure Demolition and Sale of Surplus Property

WLG130 & WLG 131 / CP#16-44

WALL'S ADDITION M.B. 2-30

TAX CODE AREA

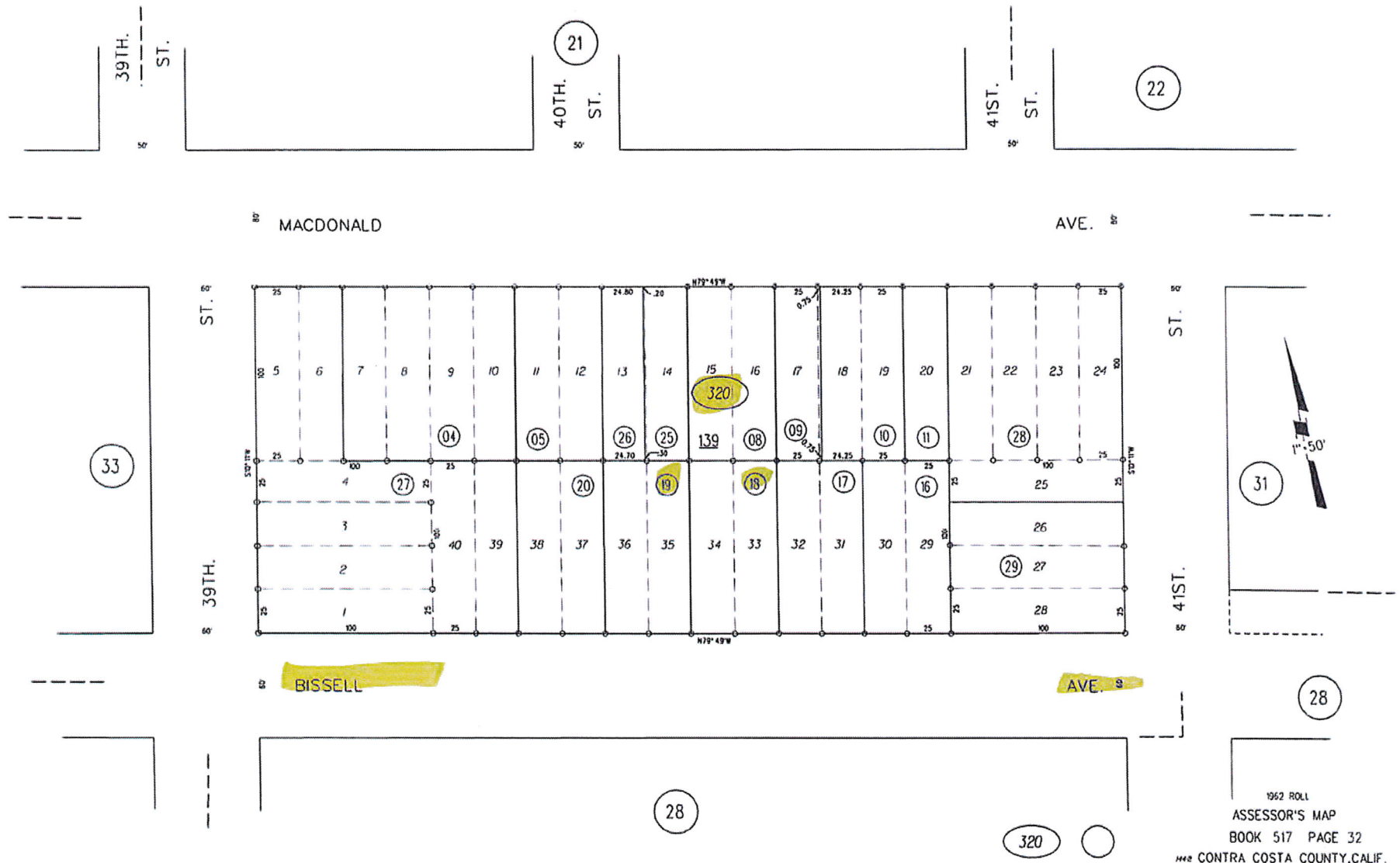
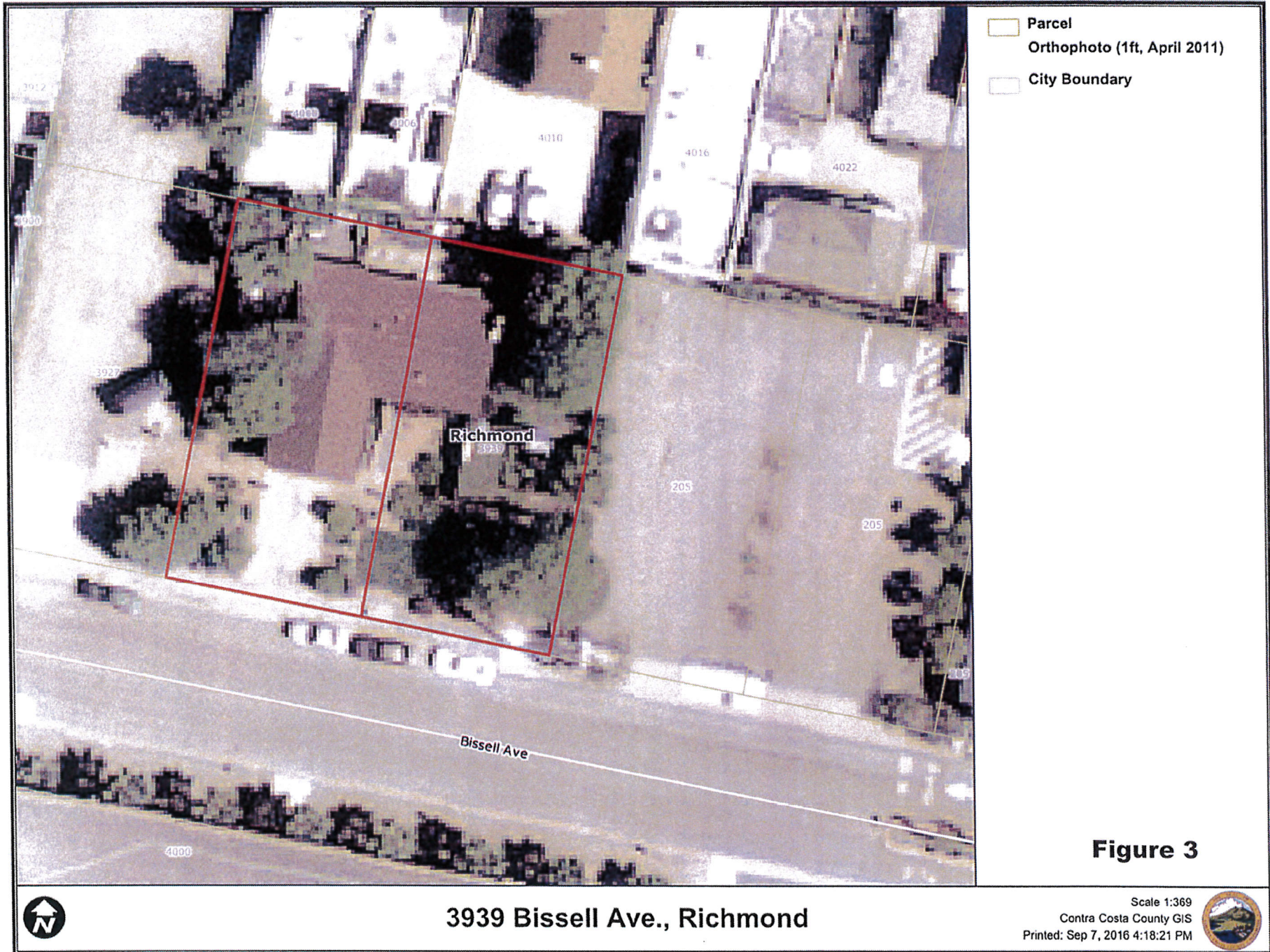


Figure 2







A- SUB'N BLK IW TOWN OF RODEO MB 21-568  
B- MAP OF RODEO 0-91  
1- 62PM47 1/27/78  
2- 188PM39 11/10/03



NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION DELINEATED HEREON. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT SPLIT OR BUILDING SITE ORDINANCES.

ASSESSOR'S MAP  
BOOK 357 PAGE B  
CONTRA COSTA COUNTY, CALIF.

Figure 4







# Contra Costa County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: September 27, 2016

Subject: Reimbursement and Payment for Expenses

---

## **RECOMMENDATION(S):**

AUTHORIZE the Auditor-Controller to issue vendor payment and reimburse employees for expenses incurred upon the approval of the County Administrator not to exceed \$5,000 per request.

## **FISCAL IMPACT:**

Any expenses incurred will be absorbed by the operating department.

## **BACKGROUND:**

On December 15, 1992, the Board of Supervisors approved an action authorizing "the Auditor-Controller to reimburse employees for expenses incurred at the request of the County Administrator not to exceed \$500". The County Administrator has been using the authority of the December 15, 1992 Board order since that date. The Auditor-Controller reviewed his practices and asked the County Administrator's Office to request new authority making it clear that the \$500 was for each incident and not intended to be cumulative.

Upon review staff confirmed that, although infrequently, employees and departments do still submit demands to the Auditor-Controller for expenses that are not explicitly authorized by existing County policy. These exceptions occur because policies can't be written to account for every possible business and/or public purpose. Therefore, the County Administrator is requesting special authority to approve exceptional expenses upon his signature (without designation) for any expense that may occur, up to \$5,000 per incident. This approval is meant to carryover year-to-year with no specified annual maximum reimbursement/payment.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

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

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

By: , Deputy

cc: Robert Campbell, County Auditor-Controller

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, individual board orders will have to be written and approved for each reimbursement/payment.





**Contra  
Costa  
County**

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: September 27, 2016

Subject: Multifamily Housing Revenue Bonds - Willowbrook, Bay Point

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2016/530 approving the issuance of Multifamily Housing Revenue Bonds (the "Bonds") by the California Public Finance Authority (the "CalPFA") in an amount not to exceed \$17,000,000 for the benefit of Willowbrook Affordable Communities, L.P., or a partnership created by Islas Development LLC (the "Developer"), to provide financing for the costs of acquisition, rehabilitation, improvement and equipping of a multifamily housing development commonly known as Willowbrook Apartments, a 72-unit residential rental housing development located at 110 Bailey Road, Bay Point, California (the "Development"). Such adoption is solely for the purposes of satisfying the public approval requirements of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), the Code, and the California Government Code Section 6500 (and following).

**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 CalPFA will issue tax-exempt bonds on behalf of the Developer. Repayment of the bonds is solely the responsibility of the Developer.

**BACKGROUND:**

Islas Development LLC (the "Developer") requested the County conduct a Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing for the California Public Finance Authority (CalPFA) issuance of Multifamily Housing Revenue Bonds in an amount not to exceed \$17,000,000 to be used to finance the acquisition, rehabilitation,

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☒ 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: September 27, 2016

Contact: Kara Douglas,  
925-674-7880

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

By: , Deputy

cc:

#### BACKGROUND: (CONT'D)

improvement and equipping of a multifamily housing development commonly known as Willowbrook Apartments, a 72-unit residential rental housing development located at 110 Bailey Road, Bay Point, California (the "Development"). 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 Development. The County is a member of CalPFA and qualifies as an elected body of the governmental entity having jurisdiction over the area where the project is located.

On July 18, 2016, the County's Community Development Bond Manager held a hearing for the Development. On August 9, 2016, the Board of Supervisors approved Resolution 2016/474 acknowledging that a public hearing was held for the issuance of \$12,000,000 for the Development. The Developer has since requested that a second public hearing be held to increase the amount of the potential bond issuance from \$12,000,000 to \$17,000,000.

The main purpose of the proposed Resolution is to acknowledge that a public hearing was held by the County's Community Development Bond Program Manager on September 12, 2016, where members of the community were given an opportunity to speak in favor of or against the use of \$17,000,000 in tax-exempt bonds for the financing of the Development. No public comments were received. A notice of the hearing was published in the East Bay Times (proof of publication attached) on August 29, 2016.

The County's only role in this transaction was to hold the TEFRA hearing. Additional actions related to the bond issuance will be the responsibility of CalPFA.

#### CONSEQUENCE OF NEGATIVE ACTION:

Negative action would prevent CalPFA from providing tax-exempt financing for the Developer's Willowbrook Apartments project in Bay Point.

#### CHILDREN'S IMPACT STATEMENT:

The Willowbrook Apartments provide 72 units of affordable rental housing appropriate for families. This supports outcome #3: Families are Economically Self Sufficient.

#### ATTACHMENTS

Resolution No. 2016/530

Proof of Publication



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

Adopted this Resolution on 09/27/2016 by the following vote:

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



**Resolution No. 2016/530**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA APPROVING THE ISSUANCE BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$17,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION AND REHABILITATION OF WILLOWBROOK APARTMENTS AND CERTAIN OTHER MATTERS RELATING THERETO**

WHEREAS, Willowbrook Affordable Communities, L.P. or a partnership created by Islas Development, LLC (the "Developer"), consisting at least of the Developer or a related person to the Developer and one or more limited partners, has requested that the California Public Finance Authority (the "Authority") participate in the issuance of one or more series of revenue bonds issued from time to time, including bonds issued to refund such revenue bonds in one or more series from time to time, in an aggregate principal amount not to exceed \$17,000,000 (the "Bonds") for the acquisition, rehabilitation, improvement and equipping of a 72-unit multifamily rental housing project located at 110 Bailey Road, Bay Point, California, generally known as Willowbrook Apartments (the "Project") and operated by Logan Property Management, Inc.; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Bonds by the Authority must be approved by the County of Contra Costa (the "County") because the Project is located within the territorial limits of the County; and

WHEREAS, the Board of Supervisors of the County (the "Board of Supervisors") is the elected legislative body of the County and is the applicable elected representative under Section 147(f) of the Code; 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 12 of the Joint Exercise of Powers Agreement Relating to the California Public Finance Authority, dated as of May 12, 2015 (the "Agreement"), among certain local agencies, including the County; and

WHEREAS, pursuant to Section 147(f) of the Code, the Board of Supervisors has, following notice duly given, held a public hearing regarding the issuance of the Bonds, and now desires to approve the issuance of the Bonds by the Authority; and

WHEREAS, the Board of Supervisors understands that its actions in holding this public hearing and in approving this Resolution do not obligate the County in any manner for payment of the principal, interest, fees or any other costs associated with the issuance of the Bonds, and said Board of Supervisors expressly conditions its approval of this Resolution on that understanding.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Contra Costa as follows:

Section 1. The Board of Supervisors hereby approves the issuance of the Bonds by the Authority for the purposes of financing the Project. It is the purpose and intent of the Board of Supervisors that this Resolution constitute approval of the issuance of the Bonds by the Authority, for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f) and (b) Section 12 of the Agreement.

Section 2. The officers of the Board of Supervisors are hereby authorized and directed, jointly and severally, to do any and all things and execute and deliver any and all documents, certificates and other instruments which they deem necessary or advisable

in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby. Any actions heretofore taken by such officers are hereby ratified and approved.

Section 3. The Board of Supervisors expressly conditions its approval of this Resolution on its understanding that the County shall have no obligation whatsoever to pay any principal, interest, fees or any other costs associated with the Authority's issuance of the Loan for the financing of the Project.

Section 4. This Resolution shall take effect from and after its passage and approval.

I hereby certify that this 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: Kara Douglas, 925-674-7880**

**ATTESTED: September 27, 2016**

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

By: , Deputy

**cc:**

# East County Times

1700 Cavallo Road  
Antioch, CA 94509  
925-779-7115

3646650

ORRICK PUBLIC FINANCE  
405 HOWARD ST  
SAN FRANCISCO, CA 94105

## PROOF OF PUBLICATION FILE NO. 110 Bailey Road

In the matter of

### East County 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 East County Times, a newspaper published in the English language in the City of Antioch, County of Contra Costa, State of California.

I declare that the East County Times is a newspaper of general circulation as defined by the laws of the State of California as determined by court decree dated January 6, 1919, Case Number 8268 and modified January 19, 2006, Case Number N05-1494. Said decree states that the East County Times is adjudged to be a newspaper of general circulation for the City of Antioch, 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:

08/29/2016

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.  
On this 2nd day of September, 2016.



Signature

Legal No.

0005804143

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Community Development Bond Program Manager of the County of Contra Costa (the "County") on Monday, September 12, 2016 at the hour of 9:00 AM in the offices of the Contra Costa County Department of Conservation and Development, 30 Muir Road, Martinez, California, will conduct a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986, at which it will hear and consider information concerning a proposed plan of financing providing for the issuance by the California Public Finance Authority of multifamily housing revenue bonds in one or more series issued from time to time, including bonds issued to refund such revenue bonds in one or more series from time to time, and at no time to exceed \$17,000,000 in outstanding aggregate principal amount, to finance the acquisition and rehabilitation of a 72-unit multifamily rental housing project located at 110 Bailey Road, Bay Point, California. The facilities are to be owned by Willowbrook Affordable Communities, L.P. (the "Borrower") or a partnership created by Islas Development, LLC (the "Developer"), consisting at least of the Developer or a related person to the Developer and one or more limited partners, operated by Logan Property Management, Inc., and are generally known as Willowbrook Apartments (the "Project").

Those wishing to comment on the proposed financing and the nature and location of the Project may either appear in person at the public hearing or submit written comments, which must be received by the County prior to the hearing. Written comments should be addressed to: Kristen Lackey, Contra Costa County Department of Conservation and Development, 30 Muir Road, Martinez, California 94553.

Dated: August 29, 2016

ECT# 5804143  
Aug. 29, 2016



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: September 27, 2016

Subject: Walnut Creek School District General Obligation Bonds, Election of 2016, Series A (2016)

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2016/555 authorizing the issuance and sale of "Walnut Creek School District General Obligation Bonds, Election of 2016, Series A (2016)" in an amount not to exceed \$20,000,000 by the Walnut Creek School District on its own behalf pursuant to Section 15140(b) of the Education Code, as recommended by the County Administrator.

**FISCAL IMPACT:**

There is no fiscal impact to the County.

**BACKGROUND:**

The Walnut Creek School District intends to issue General Obligation bonds to fund capital improvements throughout the District. The District has requested that the Board of Supervisors adopt a resolution authorizing the direct issuance and sale of bonds by the District on its own behalf as authorized by Section 15140(b) of the Education Code.

The District adopted a resolution on September 19, 2016 authorizing the sale and issuance of the bonds (copy attached). This issuance was approved by the voters as part of a \$60,000,000 bond measure listed on the June 7, 2016 ballot.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **09/27/2016** ☐ 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: September 27, 2016

Contact: Timothy Ewell,  
925-335-1036

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Without the Contra Costa County Board of Supervisors authorization, the School District would not be able to issue the bonds as proposed.

CHILDREN'S IMPACT STATEMENT:

The recommendation supports the following Children's Report Card outcome: Communities that are Safe and Provide a High Quality of Life for Children and Families.

ATTACHMENTS

Resolution No. 2016/555

Resolution No. 2016/555

District Resolution

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

Adopted this Resolution on 09/27/2016 by the following vote:

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



**Resolution No. 2016/555**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY CONSENTING TO AND AUTHORIZING THE WALNUT CREEK SCHOOL DISTRICT TO ISSUE ITS WALNUT CREEK SCHOOL DISTRICT GENERAL OBLIGATION BONDS, ELECTION OF 2016, SERIES A (2016) ON ITS OWN BEHALF**

**RESOLVED** by the Board of Supervisors (the "Board") of Contra Costa County (the "County"), State of California:

**WHEREAS**, sections 53506 *et seq.* of the California Government Code, including section 53508.7 thereof, provide that California public school district may issue and sell bonds on its own behalf at private sale pursuant to sections 15140 and 15146 of the California Education Code the Education Code;

**WHEREAS**, section 15140(b) of the California Education Code provides that the board of supervisors of county may authorize California public school district in the county to issue and sell its own bonds without the further action of the board of supervisors or officers of the county;

**WHEREAS**, the Board of Trustees of the Walnut Creek School District (the "District"), a California public school district under the jurisdiction of the County, has heretofore adopted and filed with the Clerk of this Board, a resolution (the "2016A Bond Resolution") providing for the issuance and sale of its Walnut Creek School District General Obligation Bonds, Election of 2016, Series A (2016) (the "2016A Bonds"), by competitive sale pursuant to sections 53506 *et seq.* of the California Government Code; and

**WHEREAS**, it has been requested on behalf of the District that this Board consent to such issuance of the 2016A Bonds and authorize the District to issue and sell the 2016A Bonds by competitive sale pursuant to sections 15140 and 15146 of the California Education Code as permitted by section 53508.7 of the California Government Code and the terms set forth in the 2016A Bond Resolution;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Contra Costa, State of California, as follows:

**Section 1. Recitals.** All of the foregoing recitals are true and correct.

**Section 2. Consent and Authorization of Negotiated Sale.** This Board hereby consents to and authorizes the issuance and negotiated sale by the District on its own behalf of the 2016A Bonds pursuant to sections 15140 and 15146 of the California Education Code, as permitted by section 53508.7 of the California Government Code and the terms and conditions set forth in the 2016A Bond Resolution. This consent and authorization set forth herein shall only apply to the 2016A Bonds.

**Section 3. Source of Payment.** The County acknowledges receipt of the 2016A Bond Resolution as adopted and the requests made by the District to levy collect and distribute *ad valorem* tax revenues pursuant to section 15250 *et seq.* of the California Education Code to pay for principal of and interest on the 2016A Bonds when and if sold. Correspondingly, and subject to the issuance and sale of the 2016A Bonds and transmittal of information concerning the debt service requirements thereof to the appropriate County officers, there shall be levied by the County on all of the taxable property in the District in addition to all other taxes, a continuing direct *ad valorem* tax annually during the period the 2016A Bonds are outstanding commencing with fiscal year 2016-17 in an amount sufficient to pay the principal of and interest on the 2016A Bonds when due which tax revenues when collected will be placed in the Interest and Sinking Fund of the District, as defined in the 2016A Bond Resolution, which Interest and Sinking Fund has been irrevocably pledged for the payment of the principal of and interest on the 2016A Bonds when and as the same fall due. The monies in the Interest and Sinking Fund, to the extent necessary to pay the principal of and

interest on the 2016A Bonds as the same become due and payable, shall be transferred by the County to the Paying Agent, as defined in the 2016A Bond Resolution, as necessary to pay the principal of and interest on the 2016A Bonds as set out in California law and in the 2016A Bond Resolution.

*Section 4. Approval of Actions.* Officers of the Board and County officials and staff are authorized to do any and all things and are hereby authorized and directed jointly and severally to execute and deliver any and all documents which they may deem necessary or advisable in order to assist the District with the issuance of the 2016A Bonds and otherwise carry out give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers officials and staff are hereby ratified confirmed and approved.

*Section 5. Indemnification of County.* The County acknowledges and relies upon the fact that the District has represented that it shall indemnify and hold harmless, to the extent permitted by law, the County and its officers and employees ("Indemnified Parties"), against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject because of action or inaction related to the adoption of this resolution, or related to the proceedings for sale, award, issuance and delivery of the 2016A Bonds in accordance herewith and with the District's resolution and that the District shall also reimburse any such Indemnified Parties for any legal or other expenses incurred in connection with investigating or defending any such claims or actions.

*Section 6. Limited Responsibility for Official Statement.* Neither the Board nor any officer of the County has prepared or reviewed the official statement of the District describing the 2016A Bonds (the "Official Statement") and this Board and the various officers of the County take no responsibility for the contents or distribution thereof; provided, however, that solely with respect to a section contained or to be contained therein describing the County's investment policy, current portfolio holdings and valuation procedures, as they may relate to funds of the District held by the County Treasurer-Tax Collector, the County Treasurer-Tax Collector is hereby authorized and directed to prepare and review such information for inclusion in the Official Statement and in a preliminary official statement, and to certify in writing prior to or upon the issuance of the 2016A Bonds that the information contained in such section does not contain any untrue statement of material fact or omit to state any material fact necessary in order to make the statements made therein in the light of the circumstances under which they are made not misleading.

*Section 7. Limited Liability.* Notwithstanding anything to the contrary contained herein in the 2016A Bonds or in any other document mentioned herein, neither the County nor the Board shall have any liability hereunder or by reason hereof or in connection with the transactions contemplated hereby and the 2016A Bonds shall be payable solely from the moneys of the District available therefore as set forth in the 2016A Bond Resolution and herein.

*Section 8. Effective Date.* 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: September 27, 2016**

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

**Contact: Timothy Ewell, 925-335-1036**

By: , Deputy

**cc:**



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

Adopted this Resolution on 09/27/2016 by the following vote:

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



**Resolution No. 2016/555**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY CONSENTING TO AND AUTHORIZING THE WALNUT CREEK SCHOOL DISTRICT TO ISSUE ITS WALNUT CREEK SCHOOL DISTRICT GENERAL OBLIGATION BONDS, ELECTION OF 2016, SERIES A (2016) ON ITS OWN BEHALF**

**RESOLVED** by the Board of Supervisors (the "Board") of Contra Costa County (the "County"), State of California:

**WHEREAS**, sections 53506 *et seq.* of the California Government Code, including section 53508.7 thereof, provide that California public school district may issue and sell bonds on its own behalf at private sale pursuant to sections 15140 and 15146 of the California Education Code the Education Code;

**WHEREAS**, section 15140(b) of the California Education Code provides that the board of supervisors of county may authorize California public school district in the county to issue and sell its own bonds without the further action of the board of supervisors or officers of the county;

**WHEREAS**, the Board of Trustees of the Walnut Creek School District (the "District"), a California public school district under the jurisdiction of the County, has heretofore adopted and filed with the Clerk of this Board, a resolution (the "2016A Bond Resolution") providing for the issuance and sale of its Walnut Creek School District General Obligation Bonds, Election of 2016, Series A (2016) (the "2016A Bonds"), by competitive sale pursuant to sections 53506 *et seq.* of the California Government Code; and

**WHEREAS**, it has been requested on behalf of the District that this Board consent to such issuance of the 2016A Bonds and authorize the District to issue and sell the 2016A Bonds by competitive sale pursuant to sections 15140 and 15146 of the California Education Code as permitted by section 53508.7 of the California Government Code and the terms set forth in the 2016A Bond Resolution;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Contra Costa, State of California, as follows:

**Section 1. Recitals.** All of the foregoing recitals are true and correct.

**Section 2. Consent and Authorization of Negotiated Sale.** This Board hereby consents to and authorizes the issuance and negotiated sale by the District on its own behalf of the 2016A Bonds pursuant to sections 15140 and 15146 of the California Education Code, as permitted by section 53508.7 of the California Government Code and the terms and conditions set forth in the 2016A Bond Resolution. This consent and authorization set forth herein shall only apply to the 2016A Bonds.

**Section 3. Source of Payment.** The County acknowledges receipt of the 2016A Bond Resolution as adopted and the requests made by the District to levy collect and distribute *ad valorem* tax revenues pursuant to section 15250 *et seq.* of the California Education Code to pay for principal of and interest on the 2016A Bonds when and if sold. Correspondingly, and subject to the issuance and sale of the 2016A Bonds and transmittal of information concerning the debt service requirements thereof to the appropriate County officers, there shall be levied by the County on all of the taxable property in the District in addition to all other taxes, a continuing direct *ad valorem* tax annually during the period the 2016A Bonds are outstanding commencing with fiscal year 2016-17 in an amount sufficient to pay the principal of and interest on the 2016A Bonds when due which tax revenues when collected will be placed in the Interest and Sinking Fund of the District, as defined in the 2016A Bond Resolution, which Interest and Sinking Fund has been irrevocably pledged for the payment of the principal of and interest on the 2016A Bonds when and as the same fall due. The monies in the Interest and Sinking Fund, to the extent necessary to pay the principal of and

interest on the 2016A Bonds as the same become due and payable, shall be transferred by the County to the Paying Agent, as defined in the 2016A Bond Resolution, as necessary to pay the principal of and interest on the 2016A Bonds as set out in California law and in the 2016A Bond Resolution.

*Section 4. Approval of Actions.* Officers of the Board and County officials and staff are authorized to do any and all things and are hereby authorized and directed jointly and severally to execute and deliver any and all documents which they may deem necessary or advisable in order to assist the District with the issuance of the 2016A Bonds and otherwise carry out give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers officials and staff are hereby ratified confirmed and approved.

*Section 5. Indemnification of County.* The County acknowledges and relies upon the fact that the District has represented that it shall indemnify and hold harmless, to the extent permitted by law, the County and its officers and employees ("Indemnified Parties"), against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject because of action or inaction related to the adoption of this resolution, or related to the proceedings for sale, award, issuance and delivery of the 2016A Bonds in accordance herewith and with the District's resolution and that the District shall also reimburse any such Indemnified Parties for any legal or other expenses incurred in connection with investigating or defending any such claims or actions.

*Section 6. Limited Responsibility for Official Statement.* Neither the Board nor any officer of the County has prepared or reviewed the official statement of the District describing the 2016A Bonds (the "Official Statement") and this Board and the various officers of the County take no responsibility for the contents or distribution thereof; provided, however, that solely with respect to a section contained or to be contained therein describing the County's investment policy, current portfolio holdings and valuation procedures, as they may relate to funds of the District held by the County Treasurer-Tax Collector, the County Treasurer-Tax Collector is hereby authorized and directed to prepare and review such information for inclusion in the Official Statement and in a preliminary official statement, and to certify in writing prior to or upon the issuance of the 2016A Bonds that the information contained in such section does not contain any untrue statement of material fact or omit to state any material fact necessary in order to make the statements made therein in the light of the circumstances under which they are made not misleading.

*Section 7. Limited Liability.* Notwithstanding anything to the contrary contained herein in the 2016A Bonds or in any other document mentioned herein, neither the County nor the Board shall have any liability hereunder or by reason hereof or in connection with the transactions contemplated hereby and the 2016A Bonds shall be payable solely from the moneys of the District available therefore as set forth in the 2016A Bond Resolution and herein.

*Section 8. Effective Date.* 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: September 27, 2016**

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

**Contact: Timothy Ewell, 925-335-1036**

By: , Deputy

**cc:**

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**BOARD OF TRUSTEES  
WALNUT CREEK SCHOOL DISTRICT  
CONTRA COSTA COUNTY, STATE OF CALIFORNIA**

**RESOLUTION NO. 16-17-04**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE WALNUT  
CREEK SCHOOL DISTRICT AUTHORIZING THE ISSUANCE AND  
SALE OF THE DISTRICT'S GENERAL OBLIGATION BONDS,  
ELECTION OF 2016, SERIES A (2016), IN THE AGGREGATE  
PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000**

Adopted September 19, 2016

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**BOARD OF TRUSTEES  
WALNUT CREEK SCHOOL DISTRICT  
CONTRA COSTA COUNTY, STATE OF CALIFORNIA**

**RESOLUTION NO. 16-17-04**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE WALNUT  
CREEK SCHOOL DISTRICT AUTHORIZING THE ISSUANCE AND  
SALE OF THE DISTRICT'S GENERAL OBLIGATION BONDS,  
ELECTION OF 2016, SERIES A (2016), IN THE AGGREGATE  
PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000**

RESOLVED, by the Board of Trustees (the "Board of Trustees") of the Walnut Creek School District (the "District"), as follows:

WHEREAS, a duly called special municipal election was held in the District on June 7, 2016, and thereafter canvassed pursuant to law;

WHEREAS, at such election there was submitted to and approved by the requisite fifty-five percent (55%) vote of the qualified electors of the District a question as to the issuance and sale of general obligation bonds of the District 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 (the "Project"), in the maximum aggregate principal amount of \$60,000,000 (the "Bonds") payable from the levy of an *ad valorem* tax against the taxable property in the District (the "Authorization");

WHEREAS, pursuant to Title 1, Division 1, Part 10, Chapter 2 (commencing with section 15100) of the California Education Code and Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 (commencing with section 53506) of the California Government Code, the District is empowered to issue General Obligation Bonds;

WHEREAS, the District wishes at this time to authorize the issuance and sale of the first series of General Obligation Bonds under the Authorization in the aggregate principal amount of not to exceed \$20,000,000, its Walnut Creek School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series A (2016) (the "Series A Bonds") for the purpose of raising moneys for the Project and other authorized costs; and

NOW, THEREFORE, it is hereby RESOLVED, by the Board of Trustees of the Walnut Creek School District, as follows:

## ARTICLE I

### DEFINITIONS; AUTHORITY

Section 1.01. Definitions. The terms defined in this Section 1.01, as used and capitalized herein, shall, for all purposes of this Resolution, have the meanings ascribed to them below, unless the context clearly requires some other meaning.

*“Act”* means Article 4.5 of Chapter 3 of Part 1, of Division 2 of Title 5 (commencing with section 53506) of the California Government Code, as is in effect on the date of adoption hereof and as amended hereafter.

*“Articles,” “Sections”* and other subdivisions are to the corresponding Articles, Sections or subdivisions of this Resolution, and the words *“herein,” “hereof,” “hereunder”* and other words of similar import refer to this Resolution as a whole and not to any particular Article, Section or subdivision hereof.

*“Authorized Investments”* means any investments permitted by law to be made with moneys belonging to, or in the custody of, the District, but only to the extent that the same are acquired at Fair Market Value.

*“Board”* means the Board of Trustees of the District.

*“Bond Counsel”* means any attorney or firm of attorneys nationally recognized for expertise in rendering opinions as to the legality and tax exempt status of securities issued by public entities.

*“Bond Register”* means the registration books for the Series A Bonds maintained by the Paying Agent.

*“Closing Date”* means the date upon which there is an exchange of the Series A Bonds for the proceeds representing the purchase of the Bonds by the Original Purchaser.

*“Code”* means the Internal Revenue Code of 1986 as in effect on the date of issuance of the Series A Bonds or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the date of issuance of the Series A Bonds, together with applicable temporary and final regulations promulgated, and applicable official public guidance published, under the Code.

*“Continuing Disclosure Certificate”* shall mean that certain Continuing Disclosure Certificate executed by the District and dated the date of issuance and delivery of the Series A Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

*“Costs of Issuance”* means all items of expense directly or indirectly reimbursable to the District relating to the issuance, execution and delivery of the Series A Bonds including, but not limited to, filing and recording costs, settlement costs, printing costs, reproduction and binding costs, legal fees and charges, fees and expenses of the Paying Agent, financial and other professional consultant fees, costs of obtaining credit ratings, fees for execution, transportation and safekeeping of the Series A Bonds and charges and fees in connection with the foregoing.

*“County”* means Contra Costa County, California.



*"Debt Service"* means the scheduled amount of interest and amortization of principal payable on the Series A Bonds during the period of computation, excluding amounts scheduled during such period which relate to principal which has been retired before the beginning of such period.

*"Treasurer-Tax Collector"* means the County Treasurer-Tax Collector.

*"District Representative"* means the Superintendent, the Deputy Superintendent, or any other person authorized by resolution of the Board of Trustees of the District to act on behalf of the District with respect to this Resolution and the Series A Bonds.

*"Fair Market Value"* means the price at which a willing buyer would purchase the investment from a willing seller in a bona fide, arm's length transaction (determined as of the date the contract to purchase or sell the investment becomes binding) if the investment is traded on an established securities market (within the meaning of section 1273 of the Code) and, otherwise, the term *"Fair Market Value"* means the acquisition price in a bona fide arm's length transaction (as referenced above) if (i) the investment is a certificate of deposit that is acquired in accordance with applicable regulations under the Code, (ii) the investment is an agreement with specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated interest rate (for example, a guaranteed investment contract, a forward supply contract or other investment agreement) that is acquired in accordance with applicable regulations under the Code, (iii) the investment is a United States Treasury Security—State and Local Government Series that is acquired in accordance with applicable regulations of the United States Bureau of Public Debt, or (iv) any commingled investment fund in which the District and related parties do not own more than a ten percent (10%) beneficial interest therein if the return paid by the fund is without regard to the source of the investment.

*"Federal Securities"* means United States Treasury Bonds, bills or certificates of indebtedness or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

*"Financial Advisor"* means Isom Advisors, A Division of Urban Futures Inc., as financial advisor to the District in connection with the issuance of the Series A Bonds.

*"Interest Payment Date"* means with respect to interest, March 1 and September 1 of each year commencing on March 1, 2017, and with respect to principal, September 1, of each year commencing on September 1 in such year as shall be set forth in the Notice of Sale.

*"Net Proceeds,"* when used with reference to the Series A Bonds, means the face amount of the Series A Bonds, plus accrued interest and premium, if any, less original issue discount, if any.

*"Original Purchaser"* means the first purchaser of the Series A Bonds from the District.

*"Outstanding"* means, when used as of any particular time with reference to Series A Bonds, all Series A Bonds except:

(a) Series A Bonds theretofore canceled by the Paying Agent or surrendered to the Paying Agent for cancellation;

(b) Series A Bonds paid or deemed to have been paid within the meaning of Section 9.02 hereof; and

(c) Series A Bonds in lieu of or in substitution for which other Series A Bonds shall have been authorized, executed, issued and delivered by the District pursuant to this Resolution.

*"Notice of Intention"* means the notice of intention to be used to advertise the offering of the Series A Bonds as required by section 53692 of the California Government Code.

*"Notice of Sale"* means the official notice of sale relating to the Series A Bonds.

*"Owner"* or *"Bondowner"* mean any person who shall be the registered owner of any Outstanding Series A Bond.

*"Participating Underwriter"* shall have the meaning ascribed thereto in the Continuing Disclosure Certificate.

*"Paying Agent"* means The Bank of New York Mellon Trust Company, N.A., the Paying Agent appointed by the District and acting as paying agent, registrar and authenticating agent for the Series A Bonds, or such other paying agent as shall be appointed by the District prior to the delivery of the Series A Bonds, its successors and assigns, and any other corporation or association which may at any time be substituted in its place, as provided in Section 6.01 hereof.

*"Paying Agent Agreement"* means the Paying Agent/Bond Registrar/Costs of Issuance Agreement, dated the Closing Date, by and between the District and the Paying Agent.

*"Principal Office"* means the principal corporate trust office of the Paying Agent in Dallas, Texas.

*"Record Date"* means the 15th day of the month preceding each Interest Payment Date.

*"Regulations"* means temporary and permanent regulations promulgated under the Code.

*"Resolution"* means this Resolution, including all amendments hereto and supplements hereof which are duly adopted by the Board of Trustees from time to time in accordance herewith.

*"Series A Bonds"* means the Walnut Creek School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series A (2016), issued and at any time Outstanding pursuant to this Resolution.

*"Supplemental Resolution"* means any resolution supplemental to or amendatory of this Resolution, adopted by the District in accordance with Article VIII hereof.

*"Term Bonds"* means those Series A Bonds for which mandatory redemption dates have been established pursuant to the Notice of Sale.

*"Written Request of the District"* means an instrument in writing signed by the District Representative or by any other officer of the District duly authorized by the District and listed on a Written Request of the District for that purpose.

Section 1.02. Authority for this Resolution. This Resolution is entered into pursuant to the provisions of the Act.

## ARTICLE II

### THE SERIES A BONDS

Section 2.01. Authorization. Series A Bonds in the aggregate principal amount of not to exceed twenty million dollars (\$20,000,000) are hereby authorized to be issued by the District under and subject to the terms of the Act and this Resolution. The amount of Series A Bonds shall be determined on the date of sale thereof in accordance with the Notice of Sale. This Resolution constitutes a continuing agreement with the Owners of all of the Series A Bonds issued or to be issued hereunder and then Outstanding to secure the full and final payment of principal of and the interest on all Series A Bonds which may from time to time be executed and delivered hereunder, subject to the covenants, agreements, provisions and conditions herein contained. The Series A Bonds shall be designated the “Walnut Creek School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series A (2016).”

#### Section 2.02. Terms of Series A Bonds.

(a) *Form; Numbering*. The Series A Bonds shall be issued as fully registered Series A Bonds, without coupons, in the denomination of \$5,000 each or any integral multiple thereof, but in an amount not to exceed the aggregate principal amount of Series A Bonds maturing in the year of maturity of the Series A Bond for which the denomination is specified. Series A Bonds shall be lettered and numbered as the Paying Agent shall prescribe.

(b) *Date of Series A Bonds*. The Series A Bonds shall be dated as of the Closing Date.

(c) *CUSIP Identification Numbers*. “CUSIP” identification numbers shall be imprinted on the Series A Bonds, but such numbers shall not constitute a part of the contract evidenced by the Series A Bonds and any error or omission with respect thereto shall not constitute cause for refusal of any purchaser to accept delivery of and pay for the Series A Bonds. In addition, failure on the part of the District to use such CUSIP numbers in any notice to Owners of the Series A Bonds shall not constitute an Event of Default (hereinafter defined) or any violation of the District’s contract with such Owners and shall not impair the effectiveness of any such notice.

(d) *Maturities; Interest*. The Series A Bonds shall mature (or, alternatively, be subject to mandatory sinking fund redemption as hereinafter provided) and become payable on September 1 in the years and in the amounts set forth in, and subject to the alteration thereof permitted by, the Notice of Sale. The Series A Bonds shall bear interest at such rate or rates as shall be determined upon the sale thereof, payable semi-annually on each Interest Payment Date.

Each Series A Bond shall bear interest from the Interest Payment Date next preceding the date of registration and authentication thereof unless (i) it is registered and authenticated as of an Interest Payment Date, in which event it shall bear interest from such date, or (ii) it is registered and authenticated prior to an Interest Payment Date and after the close of business on the fifteenth day of the month preceding such Interest Payment Date, in which event it shall bear interest from such Interest Payment Date, or (iii) it is registered and authenticated prior to February 15, 2017, in which event it shall bear interest from the date described in paragraph (b) of this Section 2.02; *provided, however*, that if at the time of authentication of a Series A Bond, interest is in default thereon, such Series A Bond shall bear interest from the Interest Payment Date to which interest has previously been paid or made available for payment thereon.

Interest on the Series A Bonds shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

(e) *Payment.* Interest on the Series A Bonds (including the final interest payment upon maturity or earlier redemption) is payable by check of the Paying Agent mailed via first-class mail to the Owner thereof at such Owner's address as it appears on the Bond Register on each Record Date or at such other address as the Owner may have filed with the Paying Agent for that purpose; provided however, that payment of interest may be by wire transfer in immediately available funds to an account in the United States of America to any Owner of Series A Bonds in the aggregate principal amount of \$1,000,000 or more who shall furnish written wire instructions to the Paying Agent at least five (5) days before the applicable Record Date. Principal of the Series A Bonds is payable in lawful money of the United States of America at the Principal Office.

### Section 2.03. Redemption.

(a) *Optional Redemption.* The Series A Bonds maturing on and prior to September 1, 2026, are not callable for redemption prior to their stated maturity date. The Series A Bonds maturing on and after September 1, 2027, are callable for redemption prior to their stated maturity date at the option of the District, in whole or in part on any date on or after September 1, 2026 (in such order as the District shall designate and, in the absence of such designation, in inverse order of maturity and by lot with a maturity), from any source lawfully available therefor, at a redemption price equal to the principal amount of the Series A Bonds called for redemption, together with accrued interest to the date fixed for redemption without premium.

(b) *Mandatory Sinking Fund Redemption.* In the event and to the extent specified in the Notice of Sale, any maturity of Series A Bonds may be designated as "Term Bonds" and shall be subject to mandatory sinking fund redemption. If some but not all of such Term Bonds have been redeemed pursuant to the preceding subsection (a) of this Section 2.03, the aggregate principal amount of such Term Bonds to be redeemed in each year pursuant to this subsection (b) shall be reduced on a *pro rata* basis in integral multiples of \$5,000, as shall be designated pursuant to written notice filed by the District with the Paying Agent.

(c) *Notice of Redemption.* The Paying Agent on behalf and at the expense of the District shall mail (by first class mail) notice of any redemption to: (i) the respective Owners of any Series A Bonds designated for redemption, at least thirty (30) but not more than sixty (60) days prior to the redemption date, at their respective addresses appearing on the Bond Register, and (ii) the Securities Depositories and to one or more Information Services, at least thirty (30) but not more than sixty (60) days prior to the redemption; *provided, however*, that neither failure to receive any such notice so mailed nor any defect therein shall affect the validity of the proceedings for the redemption of such Series A Bonds or the cessation of the accrual of interest thereon. Such notice shall state the date of the notice, the redemption date, the redemption place and the redemption price and shall designate the CUSIP numbers, the Series A Bond numbers and the maturity or maturities (in the event of redemption of all of the Series A Bonds of such maturity or maturities in whole) of the Series A Bonds to be redeemed, and shall require that such Series A Bonds be then surrendered at the Principal Office for redemption at the redemption price, giving notice also that further interest on such Series A Bonds will not accrue from and after the redemption date.

Notwithstanding the foregoing, in the case of any optional redemption of the Series A Bonds, the notice of redemption shall state that the redemption is conditioned upon receipt by the Paying Agent of sufficient moneys to redeem the Series A Bonds on the scheduled redemption date, and that the optional redemption shall not occur if, by no later than the scheduled redemption date, sufficient moneys to redeem the Series A Bonds have not been

deposited with the Paying Agent. In the event that the Paying Agent does not receive sufficient funds by the scheduled optional redemption date to so redeem the Series A Bonds to be optionally redeemed, the Paying Agent shall send written notice to the Owners, to the Securities Depositories and to one or more of the Information Services to the effect that the redemption did not occur as anticipated, and the Series A Bonds for which notice of optional redemption was given shall remain Outstanding for all purposes.

(d) *Selection of Series A Bonds for Redemption.* Whenever provision is made for the redemption of Series A Bonds of more than one maturity, the Series A Bonds to be redeemed shall be selected by the District evidenced by a Written Request of the District filed with the Paying Agent or, absent such selection by the District, on a *pro rata* basis among the maturities subject to redemption; and in each case, the Paying Agent shall select the Series A Bonds to be redeemed within any maturity by lot in any manner which the Paying Agent in its sole discretion shall deem appropriate and fair. For purposes of such selection, all Series A Bonds shall be deemed to be comprised of separate \$5,000 portions and such portions shall be treated as separate Series A Bonds which may be separately redeemed.

(e) *Partial Redemption of Series A Bonds.* In the event only a portion of any Series A Bond is called for redemption, then upon surrender of such Series A Bond the District shall execute and the Paying Agent shall authenticate and deliver to the Owner thereof, at the expense of the District, a new Series A Bond or Bonds of the same maturity date, of authorized denominations in aggregate principal amount equal to the unredeemed portion of the Series A Bond to be redeemed. Series A Bonds need not be presented for mandatory sinking fund redemptions.

(f) *Effect of Redemption.* From and after the date fixed for redemption, if funds available for the payment of the principal of and interest (and premium, if any) on the Series A Bonds so called for redemption shall have been duly provided, such Series A Bonds so called shall cease to be entitled to any benefit under this Resolution other than the right to receive payment of the redemption price, and no interest shall accrue thereon from and after the redemption date specified in such notice. All Series A Bonds redeemed pursuant to this Section 2.03 shall be canceled and shall be destroyed by the Paying Agent.

Section 2.04. Form of Series A Bonds. The Series A Bonds, the form of the Paying Agent's certificate of authentication and registration and the form of assignment to appear thereon shall be substantially in the forms, respectively, with necessary or appropriate variations, omissions and insertions, as permitted or required by this Resolution, as are set forth in Exhibit A attached hereto.

Section 2.05. Execution of Series A Bonds. The Series A Bonds shall be executed on behalf of the District by the facsimile signatures of the President of its Board of Trustees and its Clerk who are in office on the date of adoption of this Resolution or at any time thereafter. If any officer whose signature appears on any Series A Bond ceases to be such officer before delivery of the Series A Bonds to the purchaser, such signature shall nevertheless be as effective as if the officer had remained in office until the delivery of the Series A Bonds to the purchaser. Any Series A Bond may be signed and attested on behalf of the District by such persons as at the actual date of the execution of such Series A Bond shall be the proper officers of the District although at the nominal date of such Series A Bond any such person shall not have been such officer of the District.

Only such Series A Bonds as shall bear thereon a certificate of authentication and registration in the form set forth in Exhibit A attached hereto, executed and dated by the Paying Agent, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of the Paying Agent shall be conclusive evidence that the Series A Bonds so

registered have been duly authenticated, registered and delivered hereunder and are entitled to the benefits of this Resolution.

Section 2.06. Transfer of Series A Bonds. Any Series A Bond may, in accordance with its terms, be transferred, upon the books required to be kept pursuant to the provisions of Section 2.08 hereof, by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of such Series A Bond for cancellation at the Principal Office, accompanied by delivery of a written instrument of transfer in a form approved by the Paying Agent, duly executed. The Paying Agent shall require the payment by the Owner requesting such transfer of any tax or other governmental charge required to be paid with respect to such transfer.

Whenever any Series A Bond or Bonds shall be surrendered for transfer, the District shall execute and the Paying Agent shall authenticate and deliver a new Series A Bond or Bonds, for like aggregate principal amount.

No transfers of Series A Bonds shall be required to be made (a) fifteen days prior to the date established by the Paying Agent for selection of Series A Bonds for redemption or (b) with respect to a Series A Bond after such Series A Bond has been selected for redemption.

Section 2.07. Exchange of Series A Bonds. Series A Bonds may be exchanged at the Principal Office for a like aggregate principal amount of Series A Bonds of authorized denominations and of the same maturity. The Paying Agent shall require the payment by the Owner requesting such exchange of any tax or other governmental charge required to be paid with respect to such exchange.

No exchanges of Series A Bonds shall be required to be made (a) fifteen days prior to the date established by the Paying Agent for selection of Series A Bonds for redemption or (b) with respect to a Series A Bond after such Series A Bond has been selected for redemption.

Section 2.08. Bond Register. The Paying Agent shall keep or cause to be kept sufficient books for the registration and transfer of the Series A Bonds, which shall at all times be open to inspection by the District upon reasonable notice; and, upon presentation for such purpose, the Paying Agent shall, under such reasonable regulations as it may prescribe, register or transfer or cause to be registered or transferred, on said books, Series A Bonds as herein before provided.

Section 2.09. Temporary Series A Bonds. The Series A Bonds may be initially issued in temporary form exchangeable for definitive Series A Bonds when ready for delivery. The temporary Series A Bonds may be printed, lithographed or typewritten, shall be of such denominations as may be determined by the District, and may contain such reference to any of the provisions of this Resolution as may be appropriate. Every temporary Series A Bond shall be executed by the District upon the same conditions and in substantially the same manner as the definitive Series A Bonds. If the District issues temporary Series A Bonds it will execute and furnish definitive Series A Bonds without delay, and thereupon the temporary Series A Bonds may be surrendered, for cancellation, in exchange therefor at the Principal Office and the Paying Agent shall deliver in exchange for such temporary Series A Bonds an equal aggregate principal amount of definitive Series A Bonds of authorized denominations. Until so exchanged, the temporary Series A Bonds shall be entitled to the same benefits pursuant to this Resolution as definitive Series A Bonds executed and delivered hereunder.

Section 2.10. Series A Bonds Mutilated, Lost, Destroyed or Stolen. If any Series A Bond shall become mutilated the District, at the expense of the Owner of said Series A Bond, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Series A Bond of

like maturity and principal amount in exchange and substitution for the Series A Bond so mutilated, but only upon surrender to the Paying Agent of the Series A Bond so mutilated. Every mutilated Series A Bond so surrendered to the Paying Agent shall be canceled by it and delivered to, or upon the order of, the District. If any Series A Bond shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the District and, if such evidence be satisfactory to the District and indemnity satisfactory to it shall be given, the District, at the expense of the Owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Series A Bond of like maturity and principal amount in lieu of and in substitution for the Series A Bond so lost, destroyed or stolen. The District may require payment of a sum not exceeding the actual cost of preparing each new Series A Bond issued under this Section and of the expenses which may be incurred by the District and the Paying Agent in the premises. Any Series A Bond issued under the provisions of this Section 2.10 in lieu of any Series A Bond alleged to be lost, destroyed or stolen shall constitute an original additional contractual obligation on the part of the District whether or not the Series A Bond so alleged to be lost, destroyed or stolen be at any time enforceable by anyone, and shall be equally and proportionately entitled to the benefits of this Resolution with all other Series A Bonds issued pursuant to this Resolution.

Section 2.11. Book Entry System. Except as provided below, the owner of all of the Series A Bonds shall be The Depository Trust Company, New York, New York ("DTC"), and the Series A Bonds shall be registered in the name of Cede & Co., as nominee for DTC. The Series A Bonds shall be initially executed and delivered in the form of a single fully registered Series A Bond for each maturity date of the Series A Bonds in the full aggregate principal amount of the Series A Bonds maturing on such date. The Paying Agent and the District may treat DTC (or its nominee) as the sole and exclusive owner of the Series A Bonds registered in its name for all purposes of this Resolution, and neither the Paying Agent nor the District shall be affected by any notice to the contrary. The Paying Agent and the District shall not have any responsibility or obligation to any participant of DTC (a "Participant"), any person claiming a beneficial ownership interest in the Series A Bonds under or through DTC or a Participant, or any other person which is not shown on the register of the District as being an owner, with respect to the accuracy of any records maintained by DTC or any Participant or the payment by DTC or any Participant by DTC or any Participant of any amount in respect of the principal or interest with respect to the Series A Bonds. The Paying Agent shall cause to be paid all principal and interest with respect to the Series A Bonds received from the District only to DTC, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to the principal and interest with respect to the Series A Bonds to the extent of the sum or sums so paid. Except under the conditions noted below, no person other than DTC shall receive a Series A Bond. Upon delivery by DTC to the District of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the term "Cede & Co." in this Resolution shall refer to such new nominee of DTC.

If the District determines that it is in the best interest of the beneficial owners that they be able to obtain Series A Bonds and delivers a written certificate to DTC to that effect, DTC shall notify the Participants of the availability through DTC of Series A Bonds. In such event, the District shall issue, transfer and exchange Series A Bonds as requested by DTC and any other owners in appropriate amounts. DTC may determine to discontinue providing its services with respect to the Series A Bonds at any time by giving notice to the District and discharging its responsibilities with respect thereto under applicable law. Under such circumstances (if there is no successor securities depository), the District shall be obligated to deliver Series A Bonds as described in this Resolution. Whenever DTC requests the District to do so, the District will cooperate with DTC in taking appropriate action after reasonable notice to (a) make available one or more separate Series A Bonds evidencing the Series A Bonds to any DTC Participant having Series A Bonds credited to its DTC account or (b) arrange for another securities depository to maintain custody of certificates evidencing the Series A Bonds.



Notwithstanding any other provision of this Resolution to the contrary, so long as any Series A Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal and interest with respect to such Series A Bond and all notices with respect to such Series A Bond shall be made and given, respectively, to DTC as provided as in the representation letter delivered on the date of issuance of the Series A Bonds.

### ARTICLE III

#### ISSUE OF SERIES A BONDS; APPLICATION OF SERIES A BOND PROCEEDS; SECURITY FOR THE SERIES A BONDS

Section 3.01. Issuance, Award and Delivery of Series A Bonds. At any time after the execution of this Resolution the District may issue and deliver Series A Bonds in the aggregate principal amount of not to exceed twenty million dollars (\$20,000,000).

The District Representatives shall be, and are hereby, directed to cause the Series A Bonds to be printed, signed and delivered to the Original Purchaser on receipt of the purchase price therefor and upon performance of the conditions contained in the Notice of Sale.

The Paying Agent is hereby authorized to deliver the Series A Bonds to the Original Purchaser, upon receipt of a Written Request of the District.

#### Section 3.02. Funds and Accounts.

(a) *Building Fund.* The fund, known as the "Walnut Creek School District, General Obligation Bonds, Election of 2016, Series A (2016) Building Fund" (the "Building Fund"), is hereby established and maintained by the Treasurer-Tax Collector for the Series A Bonds. Moneys deposited therein from the proceeds of the Series A Bonds shall be used solely for the purpose for which the Series A Bonds are being issued and shall be applied solely to authorized purposes which relate to the acquisition or improvement of real property and for the payment of Costs of Issuance of the Series A Bonds insufficient moneys are available therefor in the Costs of Issuance Fund. The interest earned on the moneys deposited to the Building Fund shall be retained in the Building Fund and used for the purposes thereof. At the written request of the District filed with the County, any amounts remaining on deposit in the Building Fund and not needed for the purposes of the Series A Bonds shall be withdrawn from the Building Fund and transferred to the Interest and Sinking Fund, to be applied to the payment of Debt Service. By receipt of a copy of this resolution, the Treasurer-Tax Collector is hereby requested to continue and maintain the Building Fund. The County is not responsible for the use of funds disbursed from the Building Fund.

(b) *Interest and Sinking Fund.* The fund, known as the "Walnut Creek School District, General Obligation Bonds Interest and Sinking Fund" (the "Interest and Sinking Fund"), previously established and maintained by the Treasurer-Tax Collector for the District is hereby continued for the Series A Bonds. Moneys deposited therein shall be used only for payment of principal and interest on all General Obligation Bonds of the District. If, after payment in full of the Series A Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the general fund of the District. Notwithstanding the foregoing provisions of this Section 3.02(b), any excess proceeds of the Series A Bonds not needed for the authorized purposes set forth herein for which the Series A Bonds are being issued shall be applied solely in a manner which is consistent with the requirements of applicable state and federal tax law, including but not limited to the requirements of federal tax law (if any) relating to the yield at which such proceeds are permitted to be invested. The interest earned on the moneys deposited to the Interest and Sinking Fund shall be retained in the Interest and Sinking Fund and used for the purposes thereof. By receipt of a copy of this resolution, the Treasurer-Tax Collector is hereby requested to continue and maintain the Interest and Sinking Fund.

(c) *Costs of Issuance Fund.* A fund, to be known as the "Walnut Creek School District, General Obligation Bonds, Election of 2016, Series A (2016) Costs of Issuance Fund" (the "Costs of Issuance Fund"), is hereby created and established with the Paying Agent, acting as costs of

issuance custodian (the "Custodian") for the Series A Bonds. Moneys deposited therein shall be used solely for the payment of costs of issuance of the Series A Bonds, as provided in the Paying Agent Agreement (hereinafter defined).

(d) *Investment of Moneys in the Building Fund and the Interest and Sinking Fund.* Moneys held in the Building Fund and the Interest and Sinking Fund shall be invested at the Treasurer-Tax Collector's discretion, unless otherwise directed in writing by the District, pursuant to law and the investment policy of the County. In addition, at the written direction of the District, all or any portion of the moneys in the Building Fund may be invested (i) in the Local Agency Investment Fund in the treasury of the State of California, or (ii) in investment agreements which comply with the requirements of each rating agency then rating the Series A Bonds necessary in order to maintain the current rating on the Series A Bonds, provided that the Treasurer-Tax Collector shall be a signatory to any such investment agreement. Consent by the County to a request by the District to use any investments requested by the District specified in clause (d)(ii) shall in no way imply any endorsement by the County of such investment and the County assumes no liability for the results of such investment or of the provider thereof.

Section 3.03. Application of Proceeds of Sale of Series A Bonds. On the Closing Date, the proceeds of sale of the Series A Bonds shall be paid by the Underwriter as follows:

(a) to the Treasurer-Tax Collector, an amount equal to the premium if any, on the Series A Bonds, for deposit in the Interest and Sinking Fund;

(b) to the Custodian, an amount equal to the amounts required for the payment of Costs of Issuance, for deposit in the Costs of Issuance Fund; and

(c) the remaining proceeds of the Series A Bonds shall be to transferred to the Treasurer-Tax Collector for deposit in the Building Fund.

Section 3.04. Security for the Series A Bonds. There shall be levied by the County on all the taxable property in the District, in addition to all other taxes, a continuing direct and ad valorem tax annually during the period the Series A Bonds are outstanding in an amount sufficient to pay the principal of and interest on the Series A Bonds when due, which moneys when collected will be placed in the Interest and Sinking Fund of the District, which fund is irrevocably pledged for the payment of the principal of and interest on the Series A Bonds when and as the same fall due. The moneys in the Interest and Sinking Fund, to the extent necessary to pay the principal of and interest on the Series A Bonds as the same become due and payable, shall be transferred by the County to the Paying Agent, as paying agent for the Series A Bonds, as necessary to pay the principal of and interest on the Series A Bonds. The property taxes and amounts held in the Interest and Sinking Fund of the District shall immediately be subject to this pledge, and the pledge shall constitute a lien and security interest which shall be effective, binding, and enforceable against the District, its successors, creditors and all others irrespective of whether those parties have notice of the pledge and without the need of any physical delivery, recordation, filing, or further act. The pledge is an agreement between the District and the Owners of the Series A Bonds in addition to any statutory lien that may exist, and the Series A Bonds were issued to finance one or more projects specified in the Authorization and not to finance the General purposes of the District.

Additionally, in accordance with section 53515(a) of the Government Code, the Series A Bonds shall be secured by a statutory lien on all revenues received pursuant to the levy and collection of the tax for the Authorization. The lien shall automatically attach without further action or authorization by the District or the County. The lien shall be valid and binding from the time the Series A Bonds are executed and delivered. The revenues received pursuant to the levy and collection of the tax shall be immediately subject to the lien, and the lien shall

automatically attach to the revenues and be effective, binding, and enforceable against the District, its successors, transferees, and creditors, and all others asserting rights therein, irrespective of whether those parties have notice of the lien and without the need for any physical delivery, recordation, filing, or further act.

## ARTICLE IV

### SALE OF BONDS; APPROVAL OF PAYING AGENT AGREEMENT; APPROVAL OF OFFICIAL STATMENT

#### Section 4.01. Sale of the Series A Bonds.

(a) *Notice of Intention to Sell Series A Bonds.* The Notice of Intention, in the form attached hereto as Exhibit B and by this reference incorporated herein, is hereby approved. The Clerk of the Board is hereby authorized and directed to cause to be published, once at least five (5) days prior to the date to receive bids, the Notice of Intention in the *Bond Buyer*, a financial publication reasonably expected to be disseminated among prospective bidders for the Series A Bonds.

(b) *Notice of Sale.* The Notice of Sale, in the form attached hereto as Exhibit C and by this reference incorporated herein, is hereby approved.

(c) *Terms and Conditions of Sale.* The terms and conditions of the offering and the sale of the Series A Bonds shall be as specified in said Notice of Sale.

(d) *Furnishing of Official Notice of Sale.* The Clerk of the Board and the Financial Advisor are hereby authorized to cause to be furnished to prospective bidders a reasonable number of copies of the Notice of Sale.

(e) *Receipt of Bids.* The Financial Advisor is hereby authorized and directed, on behalf of the Board, to receive the bids at the time and place specified in the Notice of Sale, to examine said bids for compliance with the Notice of Sale and to verify the bid with the lowest true interest cost as provided in the Notice of Sale. In the event two or more bids setting forth identical true interest cost are received, a District Representative may award the Series A Bonds on a *pro rata* basis in such denominations as he or she shall determine. A District Representative may reject any and all bids and waive any irregularity or informality in any bid. A District Representative shall award the Series A Bonds or reject all bids not later than 26 hours after the expiration of the time prescribed for the receipt of bids unless such time of award is waived by the successful bidder. The maximum true interest cost on the Series A Bonds shall not exceed 6% per annum.

(f) *Option for a Negotiated Sale.* If, at any time, it is determined by a District Representative, or the designee thereof, that the competitive sale of the Series A Bonds is not in the best interest of the District or, if at the time of the competitive sale of the Series A Bonds, no bids are received or it is determined by a District Representative, or the designee thereof, that all received bids are unsatisfactory, the Board hereby authorizes the sale of the Series A Bonds to an underwriter identified by the Financial Advisor and approved by a District Representative, or the designee thereof. In such event, the Board hereby authorizes the preparation of a Series A Bond purchase agreement between such underwriter and the District, with such terms and conditions as shall be approved by a District Representative, or the designee thereof. In such case, a District Representative, or the designee thereof, is hereby authorized and directed to execute a Series A Bond purchase agreement for and in the name and on behalf of the District; *provided, however*, that in connection with such negotiated sale of the Series A Bonds, the net underwriter's discount, excluding reimbursable expenses of the Underwriter, shall not exceed 1% of the aggregate principal amount of Series A Bonds issued, The maximum true interest cost on the Series A Bonds shall not exceed 6% per annum.

Section 4.02. Approval of Paying Agent Agreement. The Paying Agent Agreement, in the form attached hereto as Exhibit D, together with any additions thereto or changes therein

deemed necessary or advisable by a District Representative, is hereby approved by the Board. The District Representatives are hereby authorized and directed to execute the Paying Agent Agreement for and in the name and on behalf of the District. The Board hereby authorizes the delivery and performance of the Paying Agent Agreement.

Section 4.03. Official Statement. The Board of Trustees hereby approves a preliminary official statement describing the financing (the "Preliminary Official Statement") in the form on file with the Clerk of the Board of Trustees, together with any changes therein or additions thereto deemed advisable by a District Representative. The Board of Trustees authorizes and directs the District Representatives, on behalf of the District, to deem "final" pursuant to Rule 15c2-12 under the Securities Exchange Act of 1934 (the "Rule") the Preliminary Official Statement prior to its distribution to prospective purchasers of the Series A Bonds.

The Financial Advisor, on behalf of the District, is authorized and directed to cause the Preliminary Official Statement to be distributed to such persons as may be interested in purchasing the Series A Bonds therein offered for sale.

The District Representatives are authorized and directed to cause the Preliminary Official Statement to be brought into the form of a final official statement (the "Final Official Statement") and to execute the Final Official Statement, dated as of the date of the sale of the Series A Bonds, and a statement that the facts contained in the Final Official Statement, and any supplement or amendment thereto (which shall be deemed an original part thereof for the purpose of such statement) were, at the time of sale of the Series A Bonds, true and correct in all material respects and that the Final Official Statement did not, on the date of sale of the Series A Bonds, and does not, as of the date of delivery of the Series A Bonds, contain any untrue statement of a material fact with respect to the District or omit to state material facts with respect to the District required to be stated where necessary to make any statement made therein not misleading in light of the circumstances under which it was made. The District Representatives shall take such further actions prior to the signing of the Final Official Statement as are deemed necessary or appropriate to verify the accuracy thereof. The execution of the Final Official Statement, which shall include such changes and additions thereto deemed advisable by the District Representatives, and such information permitted to be excluded from the Preliminary Official Statement pursuant to the Rule, shall be conclusive evidence of the approval of the Final Official Statement by the District.

The Final Official Statement, when prepared, is approved for distribution in connection with the offering and sale of the Series A Bonds.

Section 4.04. Official Action. All actions heretofore taken by the officers and agents of the District with respect to the sale and issuance of the Series A Bonds are hereby approved, and the President of the Board of Trustees, the Superintendent, the Deputy Superintendent, and any and all other officers of the District are hereby authorized and directed for and in the name and on behalf of the District, to do any and all things and take any and all actions relating to the execution and delivery of any and all certificates, requisitions, agreements and other documents, which they, or any of them, may deem necessary or advisable in order to consummate the lawful issuance and delivery of the Series A Bonds in accordance with this resolution.

## ARTICLE V

### OTHER COVENANTS OF THE DISTRICT

Section 5.01. Punctual Payment. The District will punctually pay, or cause to be paid, the principal of and interest on the Series A Bonds, in strict conformity with the terms of the Series A Bonds and of this Resolution, and it will faithfully observe and perform all of the conditions, covenants and requirements of this Resolution and of the Series A Bonds. Nothing herein contained shall prevent the District from making advances of its own moneys, howsoever derived, to any of the uses or purposes permitted by law.

Section 5.02. Extension of Time for Payment. In order to prevent any accumulation of claims for interest after maturity, the District will not, directly or indirectly, extend or consent to the extension of the time for the payment of any claim for interest on any of the Series A Bonds and will not, directly or indirectly, approve any such arrangement by purchasing or funding said claims for interest or in any other manner. In case any such claim for interest shall be extended or funded, whether or not with the consent of the District, such claim for interest so extended or funded shall not be entitled, in case of default hereunder, to the benefits of this Resolution, except subject to the prior payment in full of the principal of all of the Series A Bonds then Outstanding and of all claims for interest which shall not have so extended or funded.

Section 5.03. Protection of Security and Rights of Bondowners. The District will preserve and protect the security of the Series A Bonds and the rights of the Bondowners, and will warrant and defend their rights against all claims and demands of all persons. From and after the sale and delivery of any of the Series A Bonds by the District, the Series A Bonds shall be incontestable by the District.

Section 5.04. Further Assurances. The District will adopt, make, execute and deliver any and all such further resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention or to facilitate the performance of this Resolution, and for the better assuring and confirming unto the Owners of the Series A Bonds of the rights and benefits provided in this Resolution.

#### Section 5.05. Tax Covenants.

(a) *Private Activity Series A Bond Limitation*. The District shall assure that the proceeds of the Series A Bonds are not so used as to cause the Series A Bonds to satisfy the private business tests of section 141(b) of the Code or the private loan financing test of section 141(c) of the Code.

(b) *Federal Guarantee Prohibition*. The District shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause any of the Series A Bonds to be "federally guaranteed" within the meaning of section 149(b) of the Code.

(c) *Rebate Requirement*. The District shall take any and all actions necessary to assure compliance with section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government, to the extent that such section is applicable to the Series A Bonds.

(d) *No Arbitrage*. The District shall not take, or permit or suffer to be taken, any action with respect to the proceeds of the Series A Bonds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of



issuance of the Series A Bonds would have caused the Series A Bonds to be “arbitrage bonds” within the meaning of section 148 of the Code.

(e) *Maintenance of Tax-Exemption.* The District shall take all actions necessary to assure the exclusion of interest on the Series A Bonds from the gross income of the Owners of the Series A Bonds to the same extent as such interest is permitted to be excluded from gross income under the Code as in effect on the date of issuance of the Series A Bonds.

Section 5.06. Acquisition, Disposition and Valuation of Investments.

(a) Except as otherwise provided in subsection (b) of this Section 5.06, the District covenants that all investments of amounts deposited in any fund or account created by or pursuant to this Resolution, or otherwise containing gross proceeds of the Series A Bonds (within the meaning of section 148 of the Code) shall be acquired, disposed of, and valued (as of the date that valuation is required by this Resolution or the Code) at Fair Market Value.

(b) Investments in funds or accounts (or portions thereof) that are subject to a yield restriction under applicable provisions of the Code shall be valued at their present value (within the meaning of section 148 of the Code).

Section 5.07. Continuing Disclosure. The District hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, substantially in the form attached hereto as Exhibit E. Notwithstanding any other provision of this Resolution, failure of the District to comply with the Continuing Disclosure Certificate shall not be considered an Event of Default; however, any holder or beneficial owner of the Series A Bonds may take such actions as may be necessary and appropriate to compel performance, including seeking mandate of specific performance by court order.

Section 5.08. Requirements of Section 15146(b) of the California Education Code. As required by section 15146(b) of the California Education Code (AB 1482, 2006), the District hereby states and certifies the following information:

(a) *Express Approval of Sale.* The Board hereby approves the sale of the Series A Bonds by competitive sale.

(b) *Statement of Reason for Method of Sale Selected.* Competitive sales have been successfully employed by the District in the past.

(c) *Disclosure of Consultants.* The Bond Counsel to the District in connection with the issuance of the Series A Bonds will be Quint & Thimmig LLP, Larkspur, California. The disclosure counsel to the District in connection with the issuance of the Series A Bonds will be Quint & Thimmig LLP, Larkspur, California. The financial advisor to the District in connection with the issuance of the Series A Bonds will be Isom Advisors, A Division of Urban Futures Inc., Walnut Creek, California.

(d) *Costs Associated with the Sale of the Series A Bonds.* Estimates of the costs associated with the issuance of the Series A Bonds are shown on Exhibit F attached hereto.

ARTICLE VI  
THE PAYING AGENT

Section 6.01. Appointment of Paying Agent. The Bank of New York Mellon Trust Company, N.A. is hereby appointed Paying Agent for the Series A Bonds. The Paying Agent undertakes to perform such duties, and only such duties, as are specifically set forth in this Resolution, and, even during the continuance of an Event of Default, no implied covenants or obligations shall be read into this Resolution against the Paying Agent. The Paying Agent shall signify its acceptance of the duties and obligations imposed upon it by this Resolution by executing and delivering to the District a certificate to that effect.

The District may remove the Paying Agent initially appointed, and any successor thereto, and may appoint a successor or successors thereto, but any such successor shall be a bank or trust company doing business in the State of California, having a combined capital (exclusive of borrowed capital) and surplus of at least twenty million dollars (\$20,000,000), and subject to supervision or examination by federal or state authority. If such bank or trust company publishes a report of condition at least annually, pursuant to law or to the requirements of any supervising or examining authority above referred to, then for the purposes of this Section 6.01 the combined capital and surplus of such bank or trust company shall be deemed to be its combined capital and surplus as set forth in its most recent report of condition so published.

The Paying Agent may at any time resign by giving written notice to the District and the Bondowners of such resignation. Upon receiving notice of such resignation, the District shall promptly appoint a successor Paying Agent by an instrument in writing. Any resignation or removal of the Paying Agent and appointment of a successor Paying Agent shall become effective upon acceptance of appointment by the successor Paying Agent.

Section 6.02. Paying Agent May Hold Series A Bonds. The Paying Agent may become the owner of any of the Series A Bonds in its own or any other capacity with the same rights it would have if it were not Paying Agent.

Section 6.03. Liability of Agents. The recitals of facts, covenants and agreements herein and in the Series A Bonds contained shall be taken as statements, covenants and agreements of the District, and the Paying Agent assumes no responsibility for the correctness of the same, nor makes any representations as to the validity or sufficiency of this Resolution or of the Series A Bonds, nor shall incur any responsibility in respect thereof, other than as set forth in this Resolution. The Paying Agent shall not be liable in connection with the performance of its duties hereunder, except for its own negligence or willful default.

In the absence of bad faith, the Paying Agent may conclusively rely, as to the truth of the statements and the correctness of the opinions expressed therein, upon certificates or opinions furnished to the Paying Agent and conforming to the requirements of this Resolution; but in the case of any such certificates or opinions by which any provision hereof are specifically required to be furnished to the Paying Agent, the Paying Agent shall be under a duty to examine the same to determine whether or not they conform to the requirements of this Resolution.

The Paying Agent shall not be liable for any error of judgment made in good faith by a responsible officer unless it shall be proved that the Paying Agent was negligent in ascertaining the pertinent facts.

No provision of this Resolution shall require the Paying Agent to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder, or in the exercise of any of its rights or powers, if it shall have reasonable grounds for believing that repayment of such funds or adequate indemnity against such risk or liability is not reasonably assured to it.

The Paying Agent may execute any of the powers hereunder or perform any duties hereunder either directly or by or through agents or attorneys and the Paying Agent shall not be responsible for any misconduct or negligence on the part of any agent or attorney appointed with due care by it hereunder.

Section 6.04. Notice to Agents. The Paying Agent may rely and shall be protected in acting or refraining from acting upon any notice, resolution, request, consent, order, certificate, report, warrant, bond or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or proper parties. The Paying Agent may consult with counsel, who may be of counsel to the District, with regard to legal questions, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it hereunder in good faith and in accordance therewith.

Whenever in the administration of its duties under this Resolution the Paying Agent shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action hereunder, such matter (unless other evidence in respect thereof be herein specifically prescribed) may, in the absence of bad faith on the part of the Paying Agent, be deemed to be conclusively proved and established by a certificate of the District, and such certificate shall be full warrant to the Paying Agent for any action taken or suffered under the provisions of this Resolution upon the faith thereof, but in its discretion the Paying Agent may, in lieu thereof, accept other evidence of such matter or may require such additional evidence as to it may seem reasonable.

Section 6.05. Compensation, Indemnification.

(a) The District shall pay to the Paying Agent from time to time reasonable compensation for all services rendered under this Resolution, and also all reasonable expenses, charges, counsel fees and other disbursements, including those of their attorneys, agents and employees, incurred in and about the performance of their powers and duties under this Resolution. Any District Representative is hereby authorized to execute an agreement or agreements with the Paying Agent in connection with such fees and expenses. The District further agrees to indemnify and save the Paying Agent harmless against any liabilities which it may incur in the exercise and performance of its powers and duties hereunder which are not due to its negligence or bad faith.

(b) The District shall indemnify and hold harmless, to the extent permitted by law, the County and its officers and employees ("Indemnified Parties"), against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject related to the proceedings for sale, award, issuance and delivery of the Series A Bonds in accordance therewith and herewith. The District shall also reimburse any such Indemnified Parties for any legal or other expenses incurred in connection with investigating or defending any such claims or actions.

## ARTICLE VII

### EVENTS OF DEFAULT AND REMEDIES OF BONDOWNERS

Section 7.01. Events of Default. The following events ("Events of Default") shall be events of default hereunder:

(a) if default shall be made in the due and punctual payment of the principal of on any Series A Bond when and as the same shall become due and payable, whether at maturity as therein expressed, by declaration or otherwise;

(b) if default shall be made in the due and punctual payment of any installment of interest on any Series A Bond when and as such interest installment shall become due and payable;

(c) if default shall be made by the District in the observance of any of the covenants, agreements or conditions on its part in this Resolution or in the Series A Bonds contained, and such default shall have continued for a period of thirty (30) days after written notice thereof to the District; or

(d) if the District shall file a petition seeking reorganization or arrangement under the federal bankruptcy laws or any other applicable law of the United States of America, or if a court of competent jurisdiction shall approve a petition, seeking reorganization of the District under the federal bankruptcy laws or any other applicable law of the United States of America, or if, under the provisions of any other law for the relief or aid of debtors, any court of competent jurisdiction shall assume custody or control of the District or of the whole or any substantial part of its property.

Section 7.02. Remedies of Bondowners. Any Bondowner shall have the right, for the equal benefit and protection of all Bondowners similarly situated:

(a) by mandamus, suit, action or proceeding, to compel the District and its members, officers, agents or employees to perform each and every term, provision and covenant contained in this Resolution and in the Series A Bonds, and to require the carrying out of any or all such covenants and agreements of the District and the fulfillment of all duties imposed upon it;

(b) by suit, action or proceeding in equity, to enjoin any acts or things which are unlawful, or the violation of any of the Bondowners' rights; or

(c) upon the happening of any Event of Default, by suit, action or proceeding in any court of competent jurisdiction, to require the District and its members and employees to account as if it and they were the trustees of an express trust.

Section 7.03. Non-Waiver. Nothing in this Article VII or in any other provision of this Resolution, or in the Series A Bonds, shall affect or impair the obligation of the District, which is absolute and unconditional, to pay the principal of and interest on the Series A Bonds to the respective Owners of the Series A Bonds at the respective dates of maturity, as herein provided, or affect or impair the right of action, which is also absolute and unconditional, of such Owners to institute suit to enforce such payment by virtue of the contract embodied in the Series A Bonds.

A waiver of any default by any Bondowner shall not affect any subsequent default or impair any rights or remedies on the subsequent default. No delay or omission of any Owner of any of the Series A Bonds to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or an acquiescence therein, and every power and remedy conferred upon the Bondowners by this Article VI may be enforced and exercised from time to time and as often as shall be deemed expedient by the Owners of the Series A Bonds.

If a suit, action or proceeding to enforce any right or exercise any remedy be abandoned or determined adversely to the Bondowners, the District and the Bondowners shall be restored to their former positions, rights and remedies as if such suit, action or proceeding had not been brought or taken.

Section 7.04. Remedies Not Exclusive. No remedy herein conferred upon the Owners of Series A Bonds shall be exclusive of any other remedy and that each and every remedy shall be cumulative and shall be in addition to every other remedy given hereunder or thereafter conferred on the Bondowners.

## ARTICLE VIII

### SUPPLEMENTAL RESOLUTIONS

Section 8.01. Supplemental Resolutions Effective Without Consent of the Owners. For any one or more of the following purposes and at any time or from time to time, a Supplemental Resolution of the District may be adopted, which, without the requirement of consent of the Owners of the Series A Bonds, shall be fully effective in accordance with its terms:

(a) to add to the covenants and agreements of the District in this Resolution, other covenants and agreements to be observed by the District which are not contrary to or inconsistent with this Resolution as theretofore in effect;

(b) to add to the limitations and restrictions in this Resolution, other limitations and restrictions to be observed by the District which are not contrary to or inconsistent with this Resolution as theretofore in effect;

(c) to confirm, as further assurance, any pledge under, and the subjection to any lien or pledge created or to be created by, this Resolution, of any moneys, securities or funds, or to establish any additional funds or accounts to be held under this Resolution;

(d) to cure any ambiguity, supply and omission, or cure or correct any defect or inconsistent provision in this Resolution; or

(e) to make such additions, deletions or modifications as may be necessary or desirable to assure exemption from federal income taxation of interest on the Series A Bonds.

Section 8.02. Supplemental Resolutions Effective With Consent to the Owners. Any modification or amendment of this Resolution and of the rights and obligations of the District and of the Owners of the Series A Bonds, in any particular, may be made by a Supplemental Resolution, with the written consent of the Owners of at least two-thirds in aggregate principal amount of the Series A Bonds Outstanding at the time such consent is given. No such modification or amendment shall permit a change in the terms of maturity of the principal of any Outstanding Series A Bonds or of any interest payable thereon or a reduction in the principal amount thereof or in the rate of interest thereon, or shall reduce the percentage of Series A Bonds the consent of the Owners of which is required to effect any such modification or amendment, or shall change any of the provisions in Section 7.01 hereof relating to Events of Default, or shall reduce the amount of moneys pledged for the repayment of the Series A Bonds without the consent of all the Owners of such Series A Bonds, or shall change or modify any of the rights or obligations of any Paying Agent without its written assent thereto.

ARTICLE IX  
MISCELLANEOUS

Section 9.01. Benefits of Resolution Limited to Parties. Nothing in this Resolution, expressed or implied, is intended to give to any person other than the District, the Paying Agent and the Owners of the Series A Bonds, any right, remedy, claim under or by reason of this Resolution. Any covenants, stipulations, promises or agreements in this Resolution contained by and on behalf of the District shall be for the sole and exclusive benefit of the Owners of the Series A Bonds.

Section 9.02. Defeasance.

(a) *Discharge of Resolution.* Series A Bonds may be paid by the District in any of the following ways, provided that the District also pays or causes to be paid any other sums payable hereunder by the District:

(i) by paying or causing to be paid the principal or redemption price of and interest on Series A Bonds Outstanding, as and when the same become due and payable;

(ii) by depositing, in trust, at or before maturity, money or securities in the necessary amount (as provided in Section 9.02(c) to pay or redeem Series A Bonds Outstanding; or

(iii) by delivering to the Paying Agent, for cancellation by it, Series A Bonds Outstanding.

If the District shall pay all Series A Bonds Outstanding and shall also pay or cause to be paid all other sums payable hereunder by the District, then and in that case, at the election of the District (evidenced by a certificate of a District Representative, filed with the Paying Agent, signifying the intention of the District to discharge all such indebtedness and this Resolution), and notwithstanding that any Series A Bonds shall not have been surrendered for payment, this Resolution and other assets made under this Resolution and all covenants, agreements and other obligations of the District under this Resolution shall cease, terminate, become void and be completely discharged and satisfied, except only as provided in Section 9.02(b). In such event, upon request of the District, the Paying Agent shall cause an accounting for such period or periods as may be requested by the District to be prepared and filed with the District and shall execute and deliver to the District all such instruments as may be necessary to evidence such discharge and satisfaction, and the Paying Agent shall pay over, transfer, assign or deliver to the District all moneys or securities or other property held by it pursuant to this Resolution which are not required for the payment or redemption of Series A Bonds not theretofore surrendered for such payment or redemption.

(b) *Discharge of Liability on Series A Bonds.* Upon the deposit, in trust, at or before maturity, of money or securities in the necessary amount (as provided in Section 9.02(c) to pay or redeem any Outstanding Series A Bond (whether upon or prior to its maturity or the redemption date of such Series A Bond), provided that, if such Series A Bond is to be redeemed prior to maturity, notice of such redemption shall have been given as in Section 2.03 provided or provision satisfactory to the Paying Agent shall have been made for the giving of such notice, then all liability of the District in respect of such Series A Bond shall cease and be completely discharged, except only that thereafter the Owner thereof shall be entitled only to payment of the principal of and interest on such Series A Bond by the District, and the District shall remain liable for such payment, but only out of such money or securities deposited with the Paying



Agent as aforesaid for such payment, provided further, however, that the provisions of Section 9.02(d) shall apply in all events.

The District may at any time surrender to the Paying Agent for cancellation by it any Series A Bonds previously issued and delivered, which the District may have acquired in any manner whatsoever, and such Series A Bonds, upon such surrender and cancellation, shall be deemed to be paid and retired.

(c) *Deposit of Money or Securities with Paying Agent.* Whenever in this Resolution it is provided or permitted that there be deposited with or held in trust by the Paying Agent money or securities in the necessary amount to pay or redeem any Series A Bonds, the money or securities so to be deposited or held may include money or securities held by the Paying Agent in the funds and accounts established pursuant to this Resolution and shall be:

(i) lawful money of the United States of America in an amount equal to the principal amount of such Series A Bonds and all unpaid interest thereon to maturity, except that, in the case of Series A Bonds which are to be redeemed prior to maturity and in respect of which notice of such redemption shall have been given as in Section 2.03 provided or provision satisfactory to the Paying Agent shall have been made for the giving of such notice, the amount to be deposited or held shall be the principal amount or redemption price of such Series A Bonds and all unpaid interest thereon to the redemption date; or

(ii) Federal Securities (not callable by the issuer thereof prior to maturity) the principal of and interest on which when due, in the opinion of a certified public accountant delivered to the District, will provide money sufficient to pay the principal or redemption price of and all unpaid interest to maturity, or to the redemption date, as the case may be, on the Series A Bonds to be paid or redeemed, as such principal or redemption price and interest become due, provided that, in the case of Series A Bonds which are to be redeemed prior to the maturity thereof, notice of such redemption shall have been given as in Section 2.03 provided or provision satisfactory to the Paying Agent shall have been made for the giving of such notice;

provided, in each case, that the Paying Agent shall have been irrevocably instructed (by the terms of this Resolution or by request of the District) to apply such money to the payment of such principal or redemption price and interest with respect to such Series A Bonds.

(d) *Payment of Series A Bonds After Discharge of Resolution.* Notwithstanding any provisions of this Resolution, any moneys held by the Paying Agent in trust for the payment of the principal or redemption price of, or interest on, any Series A Bonds and remaining unclaimed for one year after the principal of all of the Series A Bonds has become due and payable (whether at maturity or upon call for redemption or by acceleration as provided in this Resolution), if such moneys were so held at such date, or one year after the date of deposit of such moneys if deposited after said date when all of the Series A Bonds became due and payable, shall, upon request of the District, be repaid to the District free from the trusts created by this Resolution, and all liability of the Paying Agent with respect to such moneys shall thereupon cease; *provided, however,* that before the repayment of such moneys to the District as aforesaid, the Paying Agent may (at the cost of the District) first mail to the Owners of all Series A Bonds which have not been paid at the addresses shown on the registration books maintained by the Paying Agent a notice in such form as may be deemed appropriate by the Paying Agent, with respect to the Series A Bonds so payable and not presented and with respect to the provisions relating to the repayment to the District of the moneys held for the payment thereof.

Section 9.03. Execution of Documents and Proof of Ownership by Bondowners. Any request, declaration or other instrument which this Resolution may require or permit to be executed by Bondowners may be in one or more instruments of similar tenor, and shall be executed by Bondowners in person or by their attorneys appointed in writing.

Except as otherwise herein expressly provided, the fact and date of the execution by any Bondowner or his attorney of such request, declaration or other instrument, or of such writing appointing such attorney, may be proved by the certificate of any notary public or other officer authorized to take acknowledgments of deeds to be recorded in the state in which he purports to act, that the person signing such request, declaration or other instrument or writing acknowledged to him the execution thereof, or by an affidavit of a witness of such execution, duly sworn to before such notary public or other officer.

Except as otherwise herein expressly provided, the ownership of registered Series A Bonds and the amount, maturity, number and date of holding the same shall be proved by the registry books.

Any request, declaration or other instrument or writing of the Owner of any Series A Bond shall bind all future Owners of such Series A Bond in respect of anything done or suffered to be done by the District or the Paying Agent in good faith and in accordance therewith.

Section 9.04. Waiver of Personal Liability. No boardmember, officer, agent or employee of the District shall be individually or personally liable for the payment of the principal or interest on the Series A Bonds; but nothing herein contained shall relieve any such boardmember, officer, agent or employee from the performance of any official duty provided by law.

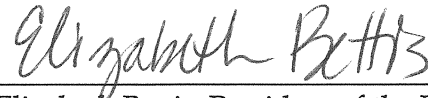
Section 9.05. Destruction of Canceled Series A Bonds. Whenever in this Resolution provision is made for the surrender to the District of any Series A Bonds which have been paid or canceled pursuant to the provisions of this Resolution, a certificate of destruction duly executed by the Paying Agent shall be deemed to be the equivalent of the surrender of such canceled Series A Bonds and the District shall be entitled to rely upon any statement of fact contained in any certificate with respect to the destruction of any such Series A Bonds therein referred to.

Section 9.06. Partial Invalidity. If any Section, paragraph, sentence, clause or phrase of this Resolution shall for any reason be held illegal or unenforceable, such holding shall not affect the validity of the remaining portions of this Resolution. The District hereby declares that it would have adopted this Resolution and each and every other Section, paragraph, sentence, clause or phrase hereof and authorized the issue of the Series A Bonds pursuant thereto irrespective of the fact that any one or more Sections, paragraphs, sentences, clauses, or phrases of this Resolution may be held illegal, invalid or unenforceable. If, by reason of the judgment of any court, the District is rendered unable to perform its duties hereunder, all such duties and all of the rights and powers of the District hereunder shall be assumed by and vest in the District in trust for the benefit of the Bondowners.

Section 9.07. Effective Date of Resolution. This Resolution shall take effect from and after the date of its passage and adoption.

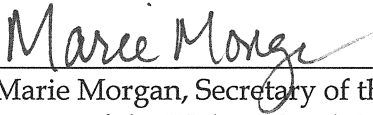
\* \* \* \* \*

THE FOREGOING RESOLUTION is approved and adopted by the Board of Trustees of the Walnut Creek School District this 19th day of September, 2016.



Elizabeth Bettis, President of the Board of  
Trustees of the Walnut Creek School District

ATTEST:



Marie Morgan, Secretary of the Board of  
Trustees of the Walnut Creek School District

## EXHIBIT A

### FORM OF SERIES A BOND

United States of America  
State of California  
Contra Costa County

WALNUT CREEK SCHOOL DISTRICT  
GENERAL OBLIGATION BONDS, ELECTION OF 2016, SERIES A (2016)

INTEREST RATE:	MATURITY DATE:	ISSUE DATE:	CUSIP:
_____%	September 1, ____	October 19, 2016	____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: \_\_\_\_\_ DOLLARS

The WALNUT CREEK SCHOOL DISTRICT, a school district, duly organized and existing under and by virtue of the Constitution and laws of the State of California (the "District"), for value received hereby promises to pay to the Registered Owner stated above, or registered assigns (the "Owner"), on the Maturity Date stated above (subject to any right of prior redemption hereinafter provided for), the Principal Sum stated above, in lawful money of the United States of America, and to pay interest thereon in like lawful money from the interest payment date next preceding the date of authentication of this Series A Bond (unless (i) this Series A Bond is authenticated on an interest payment date, in which event it shall bear interest from such date of authentication, or (ii) this Series A Bond is authenticated prior to an interest payment date and after the close of business on the fifteenth day of the month preceding such interest payment date, in which event it shall bear interest from such interest payment date, or (iii) this Series A Bond is authenticated on or prior to February 15, 2017, in which event it shall bear interest from the Issue Date stated above; provided however, that if at the time of authentication of this Series A Bond, interest is in default on this Series A Bond, this Series A Bond shall bear interest from the interest payment date to which interest has previously been paid or made available for payment on this Series A Bond) until payment of such Principal Sum in full, at the rate per annum stated above, payable on March 1 and September 1 in each year, commencing March 1, 2017, calculated on the basis of 360-day year comprised of twelve 30-day months. Principal hereof is payable at the office of The Bank of New York Mellon Trust Company, N.A. (the "Paying Agent"), in Dallas, Texas. Interest hereon (including the final interest payment upon maturity or earlier redemption) is payable by check or draft of the Paying Agent mailed by first-class mail to the Owner at the Owner's address as it appears on the registration books maintained by the Paying Agent as of the close of business on the fifteenth day of the month next preceding such interest payment date (the "Record Date"), or at such other address as the Owner may have filed with the Paying Agent for that purpose; provided however, that payment of interest may be by wire transfer in immediately available funds to an account in the United States of America to any Owner of Series A Bonds in the aggregate principal amount of \$1,000,000 or more who shall furnish written wire instructions to the Paying Agent at least five (5) days before the applicable Record Date.

This Series A Bond is one of a duly authorized issue of Series A Bonds of the District designated as "Walnut Creek School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series A (2016)" (the "Series A Bonds"), in an aggregate principal amount of \_\_\_\_\_ dollars (\$\_\_\_\_\_), all of like tenor and date (except for such variation, if any, as may be required to designate varying numbers, maturities, interest rates or redemption and other provisions) and all issued pursuant to the provisions of Article 4.5 of Chapter 3 of Part 1, of Division 2 of Title 5 (commencing with section 53506) of the California Government Code (the "Act"), and pursuant to Resolution No. 16-17-04 of the District adopted September 19, 2016 (the "Resolution"), authorizing the issuance of the Series A Bonds. Reference is hereby made to the Resolution (copies of which are on file at the office of the Clerk of the Board of Trustees of the District) and the Act for a description of the terms on which the Series A

Bonds are issued and the rights thereunder of the owners of the Series A Bonds and the rights, duties and immunities of the Paying Agent and the rights and obligations of the District thereunder, to all of the provisions of which Resolution the Owner of this Series A Bond, by acceptance hereof, assents and agrees.

A duly called special municipal election was held in the District on June 7, 2016, and thereafter canvassed pursuant to law. At such election there was submitted to and approved by the requisite fifty-five percent (55%) vote of the qualified electors of the District a question as to the issuance and sale of general obligation bonds of the District 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 (the "Project"), in the maximum aggregate principal amount of \$60,000,000 (the "Authorization") payable from the levy of an *ad valorem* tax against the taxable property in the District. The Series A Bonds represent the first issue under the Authorization.

This Series A Bond and the interest hereon and on all other Series A Bonds and the interest thereon (to the extent set forth in the Resolution) are general obligations of the District and do not constitute an obligation of the County of Contra Costa. The District has the power and is obligated to cause the Contra Costa County Treasurer-Tax Collector to levy *ad valorem* taxes for the payment of the Series A Bonds and the interest thereon upon all property within the District subject to taxation by the District. No part of any fund of the County is pledged or obligated to the payment of the Series A Bonds.

The Series A Bonds maturing on or before September 1, 2026, are non-callable. The Series A Bonds maturing on September 1, 2027, or any time thereafter, are callable for redemption prior to their stated maturity date at the option of the District, as a whole, or in part on any date on or after September 1, 2026 (in such maturities as are designated by the District, or, if the District fails to designate such maturities, on a proportional basis), and may be redeemed prior to the maturity thereof by payment of all principal, plus accrued interest to date of redemption, without premium.

[If applicable:] The Series A Bonds maturing on September 1, 20\_\_ (the "Term Bonds") are also subject to mandatory sinking fund redemption on September 1 in the years, and in the amounts, as set forth in the following table, at a redemption price equal to one hundred percent (100%) of the principal amount thereof to be redeemed (without premium), together with interest accrued thereon to the date fixed for redemption; provided, however, that if some but not all of the Term Bonds have been redeemed pursuant to the preceding paragraph, the aggregate principal amount of Term Bonds to be redeemed under this paragraph shall be reduced on a pro rata basis in integral multiples of \$5,000, as shall be designated pursuant to written notice filed by the District with the Paying Agent:

Sinking Fund Redemption Date (September 1)	Principal Amount to be Redeemed
--	---------------------------------------

The Paying Agent shall give notice of the redemption of the Series A Bonds at the expense of the District. Such notice shall specify: (a) that the Series A Bonds or a designated portion thereof are to be redeemed, (b) the numbers and CUSIP numbers of the Series A Bonds to be redeemed, (c) the date of notice and the date of redemption, (d) the place or places where the redemption will be made, and (e) descriptive information regarding the Series A Bonds including the dated date, interest rate and stated maturity date. Such notice shall further state that on the specified date there shall become due and payable upon each Series A Bond to be redeemed, the portion of the principal amount of such Series A Bond to be redeemed, together with interest accrued to said date, and that from and after such date interest with respect thereto shall cease to accrue and be payable.

If an Event of Default, as defined in the Resolution, shall occur, the principal of all Series A Bonds may be declared due and payable upon the conditions, in the manner and with the effect provided in the

Resolution, but such declaration and its consequences may be rescinded and annulled as further provided in the Resolution.

The Series A Bonds are issuable as fully registered Series A Bonds, without coupons, in denominations of \$5,000 and any integral multiple thereof. Subject to the limitations and conditions and upon payment of the charges, if any, as provided in the Resolution. Series A Bonds may be exchanged for a like aggregate principal amount of Series A Bonds of other authorized denominations and of the same maturity.

This Series A Bond is transferable by the Owner hereof, in person or by his attorney duly authorized in writing, at said office of the Paying Agent in Dallas, Texas, but only in the manner and subject to the limitations provided in the Resolution, and upon surrender and cancellation of this Series A Bond. Upon registration of such transfer a new Series A Bond or Bonds, of authorized denomination or denominations, for the same aggregate principal amount and of the same maturity will be issued to the transferee in exchange herefor.

The District and the Paying Agent may treat the Owner hereof as the absolute owner hereof for all purposes, and the District and the Paying Agent shall not be affected by any notice to the contrary.

The Resolution may be amended without the consent of the Owners of the Series A Bonds to the extent set forth in the Resolution.

It is hereby certified that all of the things, conditions and acts required to exist, to have happened or to have been performed precedent to and in the issuance of this Series A Bond do exist, have happened or have been performed in due and regular time and manner as required by the laws of the State of California, and that the amount of this Series A Bond, together with all other indebtedness of the District, does not exceed any limit prescribed by any laws of the State of California, and is not in excess of the amount of Series A Bonds permitted to be issued under the Resolution.

This Series A Bond shall not be entitled to any benefit under the Resolution or become valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed manually by the Paying Agent.

Unless this certificate is presented by an authorized representative of The Depository Trust Company; a New York corporation ("DTC"), to the District or the Paying Agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

IN WITNESS WHEREOF, the Walnut Creek School District has caused this Series A Bond to be executed in its name and on its behalf with the facsimile signatures of the President of its Board of Trustees and the Clerk of the Board of Trustees, all as of the Issue Date stated above.

WALNUT CREEK SCHOOL DISTRICT

By \_\_\_\_\_  
President of the Board of Trustees

ATTEST:

\_\_\_\_\_  
Clerk of the Board of Trustees

**CERTIFICATE OF AUTHENTICATION**

This is one of the Series A Bonds described in the within-mentioned Resolution.

Authentication Date:

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A., as Paying Agent

By \_\_\_\_\_  
Authorized Signatory



## ASSIGNMENT

For value received, the undersigned do(es) hereby sell, assign and transfer unto

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Name, Address and Tax Identification or Social Security Number of Assignee)  
\_\_\_\_\_  
\_\_\_\_\_

the within Series A Bond and do(es) hereby irrevocably constitute(s) and appoint(s)

\_\_\_\_\_  
attorney, to transfer the same on the registration books of the Paying Agent with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
Notice: Signature(s) must be guaranteed by a qualified guarantor institution.

\_\_\_\_\_  
Notice: The signature on this assignment must correspond with the name(s) as written on the face of the within bond in every particular without alteration or enlargement or any change whatsoever."

## **EXHIBIT B**

### **FORM OF NOTICE OF INTENTION**

**\$20,000,000**

**(Preliminary, subject to change)**

**WALNUT CREEK SCHOOL DISTRICT**

**(Contra Costa County, California)**

**General Obligation Bonds, Election of 2016, Series A (2016)**

NOTICE IS HEREBY GIVEN, pursuant to section 53692 of the California Government Code, that the Walnut Creek School District (the "District") invites bids for the purchase of \$20,000,000 (preliminary, subject to change) aggregate principal amount of Walnut Creek School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series A (2016) (the "Bonds"). Bids will be received on

**WEDNESDAY, OCTOBER 5, 2016**

until 9:30 A.M., Pacific Daylight time, *electronically only* through the I-Deal LLC BiDCOMP/PARITY® system, and the sale will be awarded by the District within 26 hours after the expiration of the time prescribed for the receipt of bids. The sale of the Bonds will be conducted upon the terms and conditions set forth in the Official Notice of Sale for the Bonds. Such Official Notice of Sale and the Preliminary Official Statement describing the Bonds will be distributed to prospective bidders by the financial advisor to the District, Isom Advisors, A Division of Urban Futures Incorporated, 1470 Maria Lane, Suite 315, Walnut Creek, CA 94596, telephone (925) 478-7450. Bids will be entertained only from bidders to whom such Official Notice of Sale and Preliminary Official Statement have been distributed. Legal opinion: Quint & Thimmig LLP, Larkspur, California.

## EXHIBIT C

### FORM OF NOTICE OF SALE

\$20,000,000\*

WALNUT CREEK SCHOOL DISTRICT

(Contra Costa County, California)

General Obligation Bonds, Election of 2016, Series A (2016)

NOTICE IS HEREBY GIVEN that *electronic bids only* for the purchase of \$20,000,000\* aggregate principal amount of Walnut Creek School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series A (2016) (the "Bonds"), will be received by the Walnut Creek School District (the "District") at the time and in the form below specified:

**DATE AND TIME:** WEDNESDAY, OCTOBER 5, 2016, until 9:30 A.M. (Pacific Daylight time).

**SUBMISSION OF BIDS:** Bids may be submitted (for receipt not later than the time set forth above) *electronically only* through the I-Deal LLC BiDCOMP/PARITY® system ("PARITY®"). See "FORM OF BID" herein.

**ISSUE; BOOK ENTRY:** \$20,000,000\* consisting of fully registered bonds. The Bonds will be dated as of their date of delivery, expected to be October 19, 2016, and will be issued in minimum denominations of \$5,000. The Bonds will be issued in a book entry only system with no physical distribution of the Bonds made to the public. The Depository Trust Company ("DTC"), will act as depository for the Bonds which will be immobilized in its custody. The Bonds will be registered in the name of Cede & Co., as nominee for DTC, on behalf of the participants in the DTC system and the subsequent beneficial owners of the Bonds.

**MATURITIES:** The Bonds will mature, or be subject to mandatory sinking fund redemption, on the dates and in the amounts, as set forth in the following table. *Each bidder is required to specify in its bid whether, for any particular year, the Bonds will mature or, alternately, be subject to mandatory sinking fund redemption in such year:*

<u>Maturity Date</u> <u>(September 1)</u>	<u>Principal</u> <u>Amount*</u>	<u>Maturity Date</u> <u>(September 1)</u>	<u>Principal</u> <u>Amount*</u>
2017		2032	
2018		2033	
2019		2034	
2020		2035	
2021		2036	
2022		2037	
2023		2038	
2024		2039	
2025		2040	
2026		2041	
2027		2042	
2028		2043	
2029		2044	
2030		2045	
2031		2046	

**ADJUSTMENT OF PRINCIPAL AMOUNTS AND OF MATURITIES:** The maturity amounts set forth above for the Bonds may be adjusted either upward or downward in order to meet tax rate considerations after award of the Bonds has been made to the successful bidder. The successful bidder will be notified of the actual principal amounts and maturity schedule relating to the Bonds within 26 hours after the expiration of the time prescribed for the receipt of proposals. Any increase or decrease will

be in \$5,000 increments of principal amounts. In the event of any such adjustment, no re-bidding or recalculation of the bids submitted will be required or permitted and no successful bid may be withdrawn. The successful bidder will not be permitted to change the interest rates in its bid.

x

**INTEREST:** The Bonds shall bear interest, calculated on a 30/360 day basis, at a rate or rates to be fixed upon the sale thereof but not to exceed 8% per annum, payable semiannually on each March 1 and September 1, commencing March 1, 2017.

**PAYMENT:** Principal of the Bonds will be payable upon surrender at The Bank of New York Mellon Trust Company, N.A., Dallas, Texas (the "Paying Agent"). Interest on the Bonds will be payable by check or draft mailed by first class mail to the owner at the address listed on the registration books maintained by the Paying Agent for such purpose.

**REGISTRATION:** The Bonds will be issued as fully registered bonds as to both principal and interest. The Bonds will be issued in the book-entry system of The Depository Trust Company ("DTC"), and the ownership of the Bonds will be registered to the nominee of DTC.

**OPTIONAL REDEMPTION:** The Bonds maturing on and prior to September 1, 2026, are not callable for redemption prior to their stated maturity date. The Bonds maturing on and after September 1, 2027, are callable for redemption prior to their stated maturity date at the option of the District, in whole or in part on any date on or after September 1, 2026 (in inverse order of maturity and by lot with a maturity), from any source lawfully available therefor, at a redemption price equal to the principal amount of the Bonds called for redemption, together with accrued interest to the date fixed for redemption without premium.

**SINKING FUND REDEMPTION:** Any bidder may, at its option, specify that one or more maturities of the Bonds will consist of term Bonds which are subject to mandatory sinking fund redemption in consecutive years immediately preceding the maturity thereof, as designated in the bid of such bidder. In the event that the bid of the successful bidder specifies that any maturity of Bonds will be term Bonds, such term Bonds will be subject to mandatory sinking fund redemption on September 1 in each year so designated in the bid, in the respective amounts for such years as set forth above under the heading "MATURITIES," at a redemption price equal to the principal amount thereof to be redeemed together with accrued interest thereon to the redemption date, without premium.

**PURPOSE:** A duly called special municipal election was held in the District on June 7, 2016, and thereafter canvassed pursuant to law. At such election there was submitted to and approved by the requisite fifty-five percent (55%) vote of the qualified electors of the District a question as to the issuance and sale of general obligation bonds of the District to \_\_\_\_\_ (the "Project"), in the maximum aggregate principal amount of \$60,000,000 (the "Authorization") payable from the levy of an *ad valorem* tax against the taxable property in the District. The Bonds represent the first issue under the Authorization and are being issued for the purpose of raising moneys for the Project and other authorized costs.

**SECURITY:** The Bonds are general obligations of the District. The Contra Costa County Board of Supervisors has the power and is obligated to levy *ad valorem* taxes for the payment of the Bonds and the interest thereon without limitation as to rate or amount upon all property within the District subject to taxation (except for certain classes of personal property).

**RATING:** S&P Global Ratings, a Standard & Poor's Financial Services LLC business, has assigned the ratings of "\_\_\_" to the Bonds. **The cost of obtaining such rating will be borne entirely by the District and not by the successful bidder.**

## TERMS OF SALE

**INTEREST RATE:** No rate of interest may be bid which exceeds 8% per annum. Each rate bid must be a multiple of one-twentieth of one percent (1/20%) or one-eighth of one percent (1/8%). No Bond shall bear more than one interest rate, and all Bonds of the same maturity shall bear the same rate. Each Bond must bear interest at the rate specified in the bid from its date to its fixed maturity date. The

rate on any maturity or group of maturities shall not be more than 4% higher than the interest rate on any other maturity or group of maturities.

**FORM OF BID; MINIMUM PURCHASE PRICE:** No bid shall be for less than 100% of the aggregate principal amount of the Bonds. No bid shall generate more bid premium than an amount equal to the interest due on the Bonds in the first three years.

To the extent any instructions or directions set forth in BiDCOMP/PARITY® conflict with this Official Notice of Sale, the terms of this Official Notice of Sale shall control. For further information about BiDCOMP/PARITY®, bidders may contact Isom Advisors, A Division of Urban Futures Incorporated (the “Financial Advisor”) at (925) 478-7450 or BiDCOMP/PARITY® at (212) 404-8102.

THE DISTRICT RETAINS ABSOLUTE DISCRETION TO DETERMINE WHETHER ANY BID IS TIMELY AND COMPLETE. NONE OF THE DISTRICT, THE FINANCIAL ADVISOR, OR QUINT & THIMMIG LLP (“BOND COUNSEL”) TAKES ANY RESPONSIBILITY FOR INFORMING ANY BIDDER PRIOR TO THE TIME FOR RECEIVING BIDS THAT ITS BID IS INCOMPLETE OR NOT RECEIVED.

EACH BIDDER SUBMITTING AN ELECTRONIC BID UNDERSTANDS AND AGREES BY DOING SO THAT IT IS SOLELY RESPONSIBLE FOR ALL ARRANGEMENTS WITH BiDCOMP/PARITY® AND THAT BiDCOMP/PARITY® IS NOT ACTING AS AN AGENT OF THE DISTRICT. INSTRUCTIONS AND FORMS FOR SUBMITTING ELECTRONIC BIDS MUST BE OBTAINED FROM BiDCOMP/PARITY® AND THE DISTRICT ASSUMES NO RESPONSIBILITY FOR ENSURING OR VERIFYING BIDDER COMPLIANCE WITH THE PROCEDURES OF BiDCOMP/PARITY®. THE DISTRICT SHALL ASSUME THAT ANY BID RECEIVED THROUGH BiDCOMP/PARITY® HAS BEEN MADE BY A DULY AUTHORIZED AGENT OF THE BIDDER.

THE DISTRICT WILL MAKE ITS BEST EFFORTS TO ACCOMMODATE ELECTRONIC BIDS; HOWEVER THE DISTRICT, THE FINANCIAL ADVISOR AND BOND COUNSEL ASSUME NO RESPONSIBILITY FOR ANY ERROR CONTAINED IN ANY BID SUBMITTED ELECTRONICALLY, OR FOR FAILURE OF ANY BID TO BE TRANSMITTED, RECEIVED OR ACCEPTED AT THE OFFICIAL TIME FOR RECEIPT OF BIDS. THE OFFICIAL TIME FOR RECEIPT OF BIDS WILL BE DETERMINED BY THE DISTRICT AND THE DISTRICT SHALL NOT BE REQUIRED TO ACCEPT THE TIME KEPT BY BiDCOMP/PARITY® AS THE OFFICIAL TIME.

**BEST BID:** The Bonds will be awarded to the responsible bidder or bidders offering to purchase the Bonds at the *lowest true interest cost* to the District. The true interest cost of each bid will be determined on the basis of the present value of the aggregate future semiannual payments resulting from the interest rates specified by the bidder. The present value will be calculated to the dated date of the Bonds (assumed to be October 19, 2016) and will be based on the proposed bid amount (par value plus any premium). For the purpose of making such determination, it shall be assumed that any Bond designated as term bonds by the bidder shall be deemed to be payable on the dates and in the amounts as shown under the section entitled “MATURITIES” herein. Each bidder is requested, but not required, to state in his bid the percentage true interest cost to the District, which shall be considered as informative only and shall not be binding on either the bidder or the District. The determination of the best bid by the District’s financial advisor shall be binding and conclusive on all bidders.

**RIGHT OF CANCELLATION OF SALE BY DISTRICT:** The District reserves the right, in its sole discretion, at any time to cancel the public sale of the Bonds. In such event, the District shall cause notice of cancellation of this invitation for bids and the public sale of the Bonds to be communicated through PARITY® as promptly as practicable. However, no failure to publish such notice or any defect or omission therein shall affect the cancellation of the public sale of the Bonds.

**RIGHT TO MODIFY OR AMEND:** The District reserves the right, in its sole discretion, to modify or amend this official Notice of Sale including, but not limited to, the right to adjust and change the principal amount and principal amortization schedule of the Bonds being offered, at any time prior to the date and time for the receipt of bids, communicated through PARITY®.

**RIGHT OF POSTPONEMENT BY DISTRICT:** The District reserves the right, in its sole discretion, to postpone, from time to time, the date established for the receipt of bids. Any such

postponement will be communicated through the PARITY® prior to the date and time for the receipt of bids. If any date is postponed, any alternative sale date will be announced through PARITY® at least 24 hours prior to such alternative sale date. On any such alternative sale date, any bidder may submit a bid for the purchase of the Bonds in conformity in all respects with the provisions of this Official Notice of Sale, except for the date of sale and except for the changes announced by through PARITY® at the time the sale date and time are announced.

**RIGHT OF REJECTION:** The District reserves the right, in its sole discretion, to reject any and all bids and to waive any irregularity or informality in any bid except that no bids will be accepted later than 9:00 A.M. on the date set for receipt of bids.

**PROMPT AWARD:** Pursuant to authority granted by the Board of Trustees of the District (the "Board"), the Superintendent, or the Superintendent's designee, will take action awarding the Bonds or rejecting all bids not later than twenty-six (26) hours after the expiration of the time herein prescribed for the receipt of proposals; provided, that the award may be made after the expiration of the specified time if the bidder shall not have given to said Board notice in writing of the withdrawal of such proposal.

**PLACE OF DELIVERY; CANCELLATION FOR LATE DELIVERY:** It is expected that said Bonds will be delivered to DTC for the account of the successful bidder within thirty (30) days from the date of sale thereof. The successful bidder shall have the right, at his option, to cancel its obligation to purchase the Bonds if the Bonds are not tendered for delivery within thirty (30) days from the date of the sale thereof, and in such event the successful bidder shall be entitled to the return of the deposit accompanying his bid.

**GOOD FAITH DEPOSIT:** A good faith deposit ("Deposit") in the form of a certified or cashier's check or a wire transfer, in the amount of \$100,000, payable to the order of The Bank of New York Mellon Trust Company, N.A., as paying agent, must be remitted by the winning bidder within 48 hours after the acceptance of its bid. The Deposit shall be cashed by the Paying Agent on behalf of the District and shall then be applied toward the purchase price of the Bonds. If after the award of the Bonds the successful bidder or bidders fail to complete their purchase on the terms stated in their bid, the Deposit will be retained by the District. No interest on the Deposit will accrue to any bidder.

**CHANGE IN TAX EXEMPT STATUS:** At any time before the Bonds are tendered for delivery, the successful bidder may disaffirm and withdraw his proposal if the interest received by private holders from Bonds of the same type and character shall be declared to be taxable income under present federal income tax laws, either by a ruling of the Internal Revenue Service or by a decision of any federal court, or shall be declared taxable, or be required to be taken into account in computing federal income taxes (except alternative minimum taxes and environmental taxes payable by corporations) by any federal income tax law enacted subsequent to the date of this notice.

**CLOSING PAPERS; BOND PRINTING:** Each proposal will be understood to be conditioned upon the District furnishing to the purchaser, without charge, concurrently with payment for and delivery of the Bonds, the following closing papers, each dated the date of delivery:

(a) The opinion of Quint & Thimmig LLP, Larkspur, California, Bond Counsel, approving the validity of the Bonds and stating that, subject to the District's compliance with certain covenants, interest on the Bonds is excludable from gross income of the owners thereof for federal income tax purposes and is not included as an item of tax preference in computing the alternative minimum tax for individuals and corporations under the Internal Revenue Code of 1986, as amended, but is taken into account in computing an adjustment used in determining the federal alternative minimum tax for certain corporations and interest on the Bonds is exempt from personal income taxes of the State of California. Other tax consequences to holders of the Bonds, if any, are not addressed in the opinion;

(b) A certificate of the District certifying that on the basis of the facts, estimates and circumstances in existence on the date of issue, it is not expected that the proceeds of the Bonds will be used in a manner that would cause the Bonds to be arbitrage bonds;

(c) A certificate of the District, signed by officers and representatives of the District, certifying that the officers and representatives have signed the Bonds whether by facsimile or manual signature, and that they were respectively duly authorized to execute the same;

(d) The receipt of the District evidencing the receipt of the purchase price of the Bonds;

(e) A certificate of the District, certifying that there is no known litigation threatened or pending affecting the validity of the Bonds; and

(f) A certificate of the District, signed by an officer of the District, acting in his official capacity, to the effect that at the time of the sale of the Bonds, and at all times subsequent thereto up to and including the time of the delivery of the Bonds, the Official Statement relating to the Bonds did not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

**CUSIP NUMBERS:** It is anticipated that CUSIP numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of the purchase contract. All expenses of printing CUSIP numbers on the Bonds and the CUSIP Service Bureau charge for the assignment of said numbers shall be paid by the successful bidder.

**CERTIFICATION OF REOFFERING PRICE:** The successful bidder shall be required, as a condition to the issuance of the Bonds, to deliver to the District a certificate, in form and substance satisfactory to Bond Counsel, stating (i) that, as of the date of award, the Bonds were expected to be reoffered in a bona fide public offering, (ii) the initial offering price at which a substantial amount (at least 10%) of each maturity of the Bonds were sold to the public, and (iii) that no Bonds of a single maturity were offered at one price to the general public and at a discount from that price to institutional or other investors.

**CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION:** The successful bidder will be required, pursuant to State law, to pay any fees to the California Debt and Investment Advisory Commission when due.

**DTC FEES:** All fees due DTC with respect to the Bonds shall be paid by the successful bidder or bidders.

**OFFICIAL STATEMENT:** The District has caused to be prepared a Preliminary Official Statement describing the Bonds in a form deemed final by the District within the meaning of Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended, except for certain information which is permitted under said Rule 15c2-12 to be omitted from the Preliminary Official Statement. A copy of the Preliminary Official Statement will be furnished upon request to Isom Advisors, A Division of Urban Futures Incorporated, 1470 Maria Lane, Suite 315, Walnut Creek, CA 94596, telephone (925) 478-7450. The District will furnish to the successful bidder within seven business days following the date of award, at no charge, not in excess of 25 copies of the Official Statement for use in connection with any resale of the Bonds.

**DISCLOSURE CERTIFICATE:** The District will deliver to the purchaser of the Bonds a certificate of an official of the District, dated the date of Bond delivery, stating that as of the date thereof, to the best of the knowledge and belief of said official, the Official Statement does not contain an untrue statement of a material fact or omit to state any material fact necessary in order to make the statements made therein, in the light of the circumstances under which they were made, not misleading, and further certifying that the signatory knows of no material adverse change in the condition of the District which would make it unreasonable for the purchaser of the Bonds to rely upon the Official Statement in connection with the resale of the Bonds.

**CONTINUING DISCLOSURE:** In order to assist bidders in complying with S.E.C. Rule 15c2-12(b)(5), the District will undertake, pursuant to the resolution authorizing issuance of the Bonds and a Continuing Disclosure Certificate, to provide annual reports and notices of certain events. A description



of this undertaking is set forth in the preliminary Official Statement and will also be set forth in the final Official Statement.

## EXHIBIT D

### FORM OF PAYING AGENT AGREEMENT

\$20,000,000

WALNUT CREEK SCHOOL DISTRICT

(Contra Costa County, California)

General Obligation Bonds, Election of 2016, Series A (2016)

#### PAYING AGENT/BOND REGISTRAR/COSTS OF ISSUANCE AGREEMENT

THIS PAYING AGENT/BOND REGISTRAR/COSTS OF ISSUANCE AGREEMENT (this "Agreement"), is entered into as of October 19, 2016, by and between the WALNUT CREEK SCHOOL DISTRICT (the "District") and THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. (the "Bank"), relating to the \$20,000,000 Walnut Creek School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series A (2016) (the "Bonds"). The District hereby appoints the Bank to act as Paying Agent, Transfer Agent and Bond Registrar for the Bonds and as Custodian and Disbursing Agent for the payment of costs of issuance relating to the Bonds.

#### RECITALS

WHEREAS, the District has duly authorized and provided for the issuance of the Bonds as fully registered bonds without coupons;

WHEREAS, the District will ensure all things necessary to make the Bonds the valid obligations of the District, in accordance with their terms, will be done upon the issuance and delivery thereof;

WHEREAS, the District and the Bank wish to provide the terms under which the Bank will act as Paying Agent to pay the principal, redemption premium (if any) and interest on the Bonds, in accordance with the terms thereof, and under which the Bank will act as Bond Registrar for the Bonds;

WHEREAS, the District and the Bank also wish to provide the terms under which the Bank will act as Custodian and Disbursing Agent for the payment of costs of issuance relating to the Bonds;

WHEREAS, the Bank has agreed to serve in such capacities for and on behalf of the District and has full power and authority to perform and serve as Paying Agent, Transfer Agent and Bond Registrar for the Bonds and as Custodian and Disbursing Agent for the payment of costs of issuance relating to the Bonds; and

WHEREAS, the District has duly authorized the execution and delivery of this Agreement; and all things necessary to make this Agreement a valid agreement have been done.

NOW, THEREFORE, it is mutually agreed as follows:

## ARTICLE ONE

### DEFINITIONS

#### Section 1.01. Definitions.

For all purposes of this Agreement except as otherwise expressly provided or unless the context otherwise requires:

*"Bank"* means The Bank of New York Mellon Trust Company, N.A., a national banking association organized and existing under the laws of the United States of America.

*"Bond Register"* means the book or books of registration kept by the Bank in which are maintained the names and addresses and principal amounts registered to each Registered Owner.

*"Bond Registrar"* means the Bank when it is performing the function of registrar for the Bonds.

*"Bond Resolution"* means the resolution of the District pursuant to which the Bonds were issued.

*"Bond"* or *"Bonds"* means any one or all of the \$20,000,000 Walnut Creek School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series A (2016).

*"Custodian and Disbursing Agent"* means the Bank when it is performing the function of custodian and disbursing agent for the payment of costs of issuance relating to the Bonds.

*"District"* means Walnut Creek School District.

*"District Request"* means a written request signed in the name of the District and delivered to the Bank.

*"Fiscal Year"* means the fiscal year of the District ending on June 30 of each year.

*"Paying Agent"* means the Bank when it is performing the function of paying agent for the Bonds.

*"Person"* means any individual, corporation, partnership, joint venture, association, joint stock company, trust, unincorporated organization or government or any agency or political subdivision of a government or any entity whatsoever.

*"Purchaser"* means \_\_\_\_\_.

*"Registered Owner"* means a Person in whose name a Bond is registered in the Bond Register.

*"Stated Maturity"* when used with respect to any Bond means the date specified in the Bond Resolution as the date on which the principal of such Bond is due and payable.

*"Transfer Agent"* means the Bank when it is performing the function of transfer agent for the Bonds.

## ARTICLE TWO

### APPOINTMENT OF BANK AS PAYING AGENT, TRANSFER AGENT, BOND REGISTRAR AND CUSTODIAN AND DISBURSING AGENT

Section 2.01. Appointment and Acceptance. The District hereby appoints the Bank to act as Paying Agent and Transfer Agent with respect to the Bonds, to pay to the Registered Owners in accordance with the terms and provisions of this Agreement and the Bond Resolution, the principal of, redemption premium (if any), and interest on all or any of the Bonds.

The District hereby appoints the Bank as Bond Registrar with respect to the Bonds. As Bond Registrar, the Bank shall keep and maintain for and on behalf of the District, books and records as to the ownership of the Bonds and with respect to the transfer and exchange thereof as provided herein and in the Bond Resolution.

The District hereby appoints the Bank as Custodian and Disbursing Agent.

The Bank hereby accepts its appointment, and agrees to act as Paying Agent, Transfer Agent, Bond Registrar and Custodian and Disbursing Agent.

Section 2.02. Compensation. As compensation for the Bank's services as Paying Agent and Bond Registrar, the District hereby agrees to pay the Bank the fees and amounts set forth in a separate agreement between the District and the Bank.

In addition, the District agrees to reimburse the Bank, upon its request, for all reasonable and necessary out-of-pocket expenses, disbursements, and advances, including without limitation the reasonable fees, expenses, and disbursements of its agents and attorneys, made or incurred by the Bank in connection with entering into and performing under this Agreement and in connection with investigating and defending itself against any claim or liability in connection with its performance hereunder.

## ARTICLE THREE

### PAYING AGENT

Section 3.01. Duties of Paying Agent. As Paying Agent, the Bank, provided sufficient collected funds have been provided to it for such purpose by or on behalf of the District, shall pay on behalf of the District the principal of, and interest on each Bond in accordance with the provisions of the Bond Resolution.

Section 3.02. Payment Dates. The District hereby instructs the Bank to pay the principal of, redemption premium (if any) and interest on the Bonds on the dates specified in the debt service schedule attached hereto as Exhibit A.

## ARTICLE FOUR

### BOND REGISTRAR

Section 4.01. Initial Delivery of Bonds. The Bonds will be initially registered and delivered to the purchaser designated by the District as one Bond for each maturity. If such purchaser delivers a written request to the Bank not later than five business days prior to the date of initial delivery, the Bank will, on the date of initial delivery, deliver Bonds of authorized denominations, registered in accordance with the instructions in such written request.

Section 4.02. Duties of Bond Registrar. The Bank shall provide for the proper registration of transfer, exchange and replacement of the Bonds. Every Bond surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, the signature on which has been

guaranteed by an eligible guarantor institution, in form acceptable to the Bank, duly executed by the Registered Owner thereof or his attorney duly authorized in writing. The Bond Registrar may request any supporting documentation it deems necessary or appropriate to effect a re-registration.

Section 4.03. Unauthenticated Bonds. The District shall provide to the Bank on a continuing basis, an adequate inventory of unauthenticated Bonds to facilitate transfers. The Bank agrees that it will maintain such unauthenticated Bonds in safekeeping.

Section 4.04. Form of Bond Register. The Bank as Bond Registrar will maintain its records as Bond Registrar in accordance with the Bank's general practices and procedures in effect from time to time.

Section 4.05. Reports. The District may request the information in the Bond Register at any time the Bank is customarily open for business, provided that reasonable time is allowed the Bank to provide an up-to-date listing and to convert the information into written form.

The Bank will not release or disclose the content of the Bond Register to any person other than to the District at its written request, except upon receipt of a subpoena or court order or as may otherwise be required by law. Upon receipt of a subpoena or court order the Bank will notify the District.

Section 4.06. Cancelled Bonds. All Bonds surrendered for payment, redemption, transfer, exchange, or replacement, if surrendered to the Bank, shall be promptly cancelled by it and, if surrendered to the District, shall be delivered to the Bank and, if not already cancelled, shall be promptly cancelled by the Bank. The District may at any time deliver to the Bank for cancellation any Bonds previously authenticated and delivered which the District may have acquired in any manner whatsoever, and all Bonds so delivered shall be promptly cancelled by the Bank. All cancelled Bonds held by the Bank for its retention period then in effect and shall thereafter be destroyed and evidence of such destruction furnished to the District upon its written request.

## ARTICLE FIVE

### CUSTODIAN AND DISBURSING AGENT

Section 5.01. Receipt of Moneys. The Custodian and Disbursing Agent has received, from the Purchaser, the sum of \$\_\_\_\_\_. Of such amount, \$\_\_\_\_\_ has been transferred to the Contra Costa County Treasurer-Tax Collector for deposit in the Building Fund maintained for the District, \$\_\_\_\_\_ has been transferred to the Contra Costa County Treasurer-Tax Collector for deposit in the Interest and Sinking Fund maintained for the District, and the remaining \$\_\_\_\_\_ has been deposited in a special account to be held and maintained by the Custodian and Disbursing Agent in the name of the District (the "Costs of Issuance Account"). Amounts transferred to the Contra Costa County Treasurer-Tax Collector are wired as follows:

Section 5.02. Investment. The Custodian and Disbursing Agent will hold funds in the Costs of Issuance Account until January 19, 2017, or upon prior written order of the District. The Custodian and Disbursing Agent shall have no obligation to invest and reinvest any cash held by it hereunder in the absence of timely and specific written investment direction from the District. In no event shall the Custodian and Disbursing Agent be liable for the selection of investments or for investment losses incurred thereon.

In no event shall the Custodian and Disbursing Agent be liable for the selection of investments or for investment losses incurred thereon. The District acknowledges that regulations of the Comptroller of the Currency grant the District the right to receive brokerage confirmations of the security transactions as they occur, at no additional cost. To the extent permitted by law, the District specifically waives compliance with 12 C.F.R. 12 and hereby notifies the Custodian and Disbursing Agent that no brokerage

confirmations need be sent relating to the security transactions as they occur. The Custodian and Disbursing Agent may purchase or sell to itself or any affiliate, as principal or agent, investments authorized by this Agreement.

Section 5.03. Payment of Costs of Issuance. The Custodian and Disbursing Agent will pay costs of issuance of the Bonds as directed by the District from time to time via a written requisition of the District.

Section 5.04. Transfer of Remaining Amounts. Any balances remaining in the Costs of Issuance Account (including any earnings) on January 19, 2017, will be transferred to the Contra Costa County Treasurer-Tax Collector for deposit in the Interest and Sinking Fund maintained for the District.

Section 5.05. Limited Liability. The liability of the Custodian and Disbursing Agent as custodian and disbursing agent is limited to the duties listed above. The Custodian and Disbursing Agent will not be liable for any action taken or neglected to be taken by it in good faith in any exercise of reasonable care and believed by it to be within the discretion of power conferred upon it by this Agreement.

## ARTICLE SIX

### THE BANK

Section 6.01. Duties of the Bank. The Bank undertakes to perform the duties set forth herein. No implied duties or obligations shall be read into this Agreement against the Bank. The Bank hereby agrees to use the funds deposited with it for payment of the principal of and interest on the Bonds to pay the same as it shall become due and further agrees to establish and maintain such accounts and funds as may be required for the Bank to function as Paying Agent.

Section 6.02. Reliance on Documents, Etc.

(a) The Bank may conclusively rely, as to the truth of the statements and correctness of the opinions expressed therein, on certificates or opinions expressed therein, on certificates or opinions furnished to the Bank by the District.

(b) The Bank shall not be liable for any error of judgment made in good faith. The Bank shall not be liable for other than its negligence or willful misconduct in connection with any act or omission hereunder.

(c) No provision of this Agreement shall require the Bank to expend or risk its own funds or otherwise incur any financial liability for performance of any of its duties hereunder, or in the exercise of any of its rights or powers.

(d) The Bank may rely, or be protected in acting or refraining from acting, upon any resolution, certificate, statement, instrument, opinion, report, notice, request, direction, consent, order, bond, note, security or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or parties. The Bank need not examine the ownership of any Bond, but shall be protected in acting upon receipt of Bonds containing an endorsement or instruction of transfer or power of transfer which appears on its face to be signed by the Registered Owner or agent of the Registered Owner.

(e) The Bank may consult with counsel, and the written advice or opinion of counsel shall be full authorization and protection with respect to any action taken, suffered or omitted by it hereunder in good faith and reliance thereon.

(f) The Bank may exercise any of the powers hereunder and perform any duties hereunder either directly or by or through agents or attorneys and shall not be liable for the actions of such agent or attorney if appointed by it with reasonable care.

(g) The Paying Agent shall not be responsible or liable for any failure or delay in the performance of its obligation under this Agreement arising out of or caused, directly or indirectly, by circumstances beyond its reasonable control, including, without limitation, acts of God; earthquakes; fire; flood; wars; terrorism; military disturbances; sabotage; epidemic; riots; interruptions; loss or malfunctions of utilities; computer (hardware or software) or communications services; accidents; labor disputes; acts of civil or military authority or governmental action; it being understood that Paying Agent shall use commercially reasonable efforts which are consistent with accepted practices in the banking industry to resume performance as soon as reasonably practicable under the circumstances.

(h) The Bank shall have the right to accept and act upon instructions, including funds transfer instructions ("Instructions") given pursuant to this Agreement and delivered using Electronic Means ("Electronic Means" shall mean the following communications methods: e-mail, facsimile transmission, secure electronic transmission containing applicable authorization codes, passwords and/or authentication keys issued by the Bank, or another method or system specified by the Bank as available for use in connection with its services hereunder); provided, however, that the District shall provide to the Bank an incumbency certificate listing officers with the authority to provide such Instructions ("Authorized Officers") and containing specimen signatures of such Authorized Officers, which incumbency certificate shall be amended by the District whenever a person is to be added or deleted from the listing. If the District elects to give the Bank Instructions using Electronic Means and the Bank in its discretion elects to act upon such Instructions, the Bank's understanding of such Instructions shall be deemed controlling. The District understands and agrees that the Bank cannot determine the identity of the actual sender of such Instructions and that the Bank shall conclusively presume that directions that purport to have been sent by an Authorized Officer listed on the incumbency certificate provided to the Bank have been sent by such Authorized Officer. The District shall be responsible for ensuring that only Authorized Officers transmit such Instructions to the Bank and that the District and all Authorized Officers are solely responsible to safeguard the use and confidentiality of applicable user and authorization codes, passwords and/or authentication keys upon receipt by the District. The Bank shall not be liable for any losses, costs or expenses arising directly or indirectly from the Bank's reliance upon and compliance with such Instructions notwithstanding such directions conflict or are inconsistent with a subsequent written instruction. The District agrees: (i) to assume all risks arising out of the use of Electronic Means to submit Instructions to the Bank, including without limitation the risk of the Bank acting on unauthorized Instructions, and the risk of interception and misuse by third parties; (ii) that it is fully informed of the protections and risks associated with the various methods of transmitting Instructions to the Bank and that there may be more secure methods of transmitting Instructions than the method(s) selected by the District; (iii) that the security procedures (if any) to be followed in connection with its transmission of Instructions provide to it a commercially reasonable degree of protection in light of its particular needs and circumstances; and (iv) to notify the Bank immediately upon learning of any compromise or unauthorized use of the security procedures.

Section 6.03. Recitals of District. The recitals contained in the Bond Resolution and the Bonds shall be taken as the statements of the District, and the Bank assumes no responsibility for their correctness.

Section 6.04. May Own Bonds. The Bank, in its individual or any other capacity, may become the owner or pledgee of Bonds with the same rights it would have if it were not the Paying Agent and Bond Registrar for the Bonds.

Section 6.05. Money Held by the Bank. Money held by the Bank hereunder need not be segregated from other funds. The Bank shall have no duties with respect to investment of funds deposited with it and shall be under no obligation to pay interest on any money received by it hereunder.

Any money deposited with or otherwise held by the Bank for the payment of the principal, redemption premium (if any) or interest on any Bond and remaining unclaimed for two years after such deposit will be paid by the Bank to the District, and the District and the Bank agree that the Registered Owner of such Bond shall thereafter look only to the District for payment thereof, and that all liability of the Bank with respect to such moneys shall thereupon cease.

Section 6.06. Other Transactions. The Bank may engage in or be interested in any financial or other transaction with the District.



Section 6.07. Interpleader. The District and the Bank agree that the Bank may seek adjudication of any adverse claim, demand, or controversy over its person as well as funds on deposit, in a court of competent jurisdiction. The District and the Bank further agree that the Bank has the right to file an action in interpleader in any court of competent jurisdiction to determine the rights of any person claiming any interest herein.

Section 6.08. Indemnification. To the extent permitted by law, the District shall indemnify the Bank, its officers, directors, employees and agents ("Indemnified Parties") for, and hold them harmless against any loss, cost, claim, liability or expense arising out of or in connection with the Bank's acceptance or administration of the Bank's duties hereunder or under the Bond Resolution (except any loss, liability or expense as may be adjudged by a court of competent jurisdiction to be attributable to the Bank's negligence or willful misconduct), including the cost and expense (including its counsel fees) of defending itself against any claim or liability in connection with the exercise or performance of any of its powers or duties under this Agreement. Such indemnity shall survive the termination or discharge of this Agreement or discharge of the Bonds.

## ARTICLE SEVEN

### MISCELLANEOUS PROVISIONS

Section 7.01. Amendment. This Agreement may be amended only by an agreement in writing signed by both of the parties hereto.

Section 7.02. Assignment. This Agreement may not be assigned by either party without the prior written consent of the other party, except that no such prior written consent shall be required for the Bank's assignment pursuant to the following sentence. Any bank, corporation or association into which the Bank may be merged or converted or with which it may be consolidated, or any bank, corporation or association resulting from any merger, conversion or consolidation to which the Bank shall be a party, or any bank, corporation or association succeeding to all or substantially all of the corporate trust business of the Bank shall be the successor of the Bank hereunder without the execution or filing of any paper with any party hereto or any further act on the part of any of the parties hereto except on the part of any of the parties hereto where an instrument of transfer or assignment is required by law to effect such succession, anything herein to the contrary notwithstanding..

Section 7.03. Notices. Any request, demand, authorization, direction, notice, consent, waiver or other document provided or permitted hereby to be given or furnished to the District or the Bank shall be mailed or delivered to the District or the Bank, respectively, at the address shown herein, or such other address as may have been given by one party to the other by fifteen (15) days written notice.

Section 7.04. Effect of Headings. The Article and Section headings herein are for convenience of reference only and shall not affect the construction hereof.

Section 7.05. Successors and Assigns. All covenants and agreements herein by the District and the Bank shall bind their successors and assigns, whether so expressed or not.

Section 7.06. Severability. If any provision of this Agreement shall be determined to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.

Section 7.07. Benefits of Agreement. Nothing herein, express or implied, shall give to any Person, other than the parties hereto and their successors hereunder, any benefit or any legal or equitable right, remedy or claim hereunder.

Section 7.08. Entire Agreement. This Agreement and the Bond Resolution constitute the entire agreement between the parties hereto relative to the Bank acting as Paying Agent, Transfer Agent and Bond Registrar for the Bonds and as Custodian and Disbursing Agent for the payment of costs of issuance relating to the Bonds.

Section 7.09. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and all of which shall constitute one and the same Agreement.

Section 7.10. Term and Termination. This Agreement shall be effective from and after its date and until the Bank resigns or is removed in accordance with the Bond Resolution; provided, however, that no such termination shall be effective until a successor has been appointed and has accepted the duties of the Bank hereunder.

The Bank may resign at any time by giving written notice thereof to the District. If the Bank shall resign, be removed or become incapable of acting, the District shall promptly appoint a successor Paying Agent and Bond Registrar. If an instrument of acceptance by a successor Paying Agent and Bond Registrar shall not have been delivered to the Bank within thirty 30 days after the Bank gives notice of resignation, the Bank may petition any court of competent jurisdiction at the expense of the District for the appointment of a successor Paying Agent and Bond Registrar. In the event of resignation or removal of the Bank as Paying Agent and Bond Registrar, upon the written request of the District and upon payment of all amounts owing to the Bank hereunder the Bank shall deliver to the District or its designee all funds and unauthenticated Bonds, and a copy of the Bond Register. The provisions of Section 2.02 and Section 6.08 hereof shall survive and remain in full force and effect following the termination of this Agreement.

Section 7.11. Governing Law. This Agreement shall be construed in accordance with and shall be governed by the laws of the State of California.

Section 7.12. Documents to be Filed with Bank. At the time of the Bank's appointment as Paying Agent and Bond Registrar, the District shall file with the Bank the following documents: (a) a certified copy of the Bond Resolution and a specimen Bond; (b) a copy of the opinion of bond counsel provided to the District in connection with the issuance of the Bonds; and (c) a District Request containing written instructions to the Bank with respect to the issuance and delivery of the Bonds, including the name of the Registered Owners and the denominations of the Bonds.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

WALNUT CREEK SCHOOL DISTRICT

By \_\_\_\_\_  
Marie Morgan  
Superintendent

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A., as Paying Agent

By \_\_\_\_\_  
Brian Jensen  
Vice President

**EXHIBIT A**  
**DEBT SERVICE SCHEDULE**

<div>Interest Payment Date</div>	<div>Principal</div>	<div>Interest</div>	<div>Period Total</div>	<div>Period Total</div>
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## EXHIBIT E

### FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by the WALNUT CREEK SCHOOL DISTRICT (the "District") in connection with the issuance by the District of its \$20,000,000 Walnut Creek School District (County of Alameda, California) General Obligation Bonds, Election of 2016, Series A (2016) (the "Bonds"). The Bonds are being issued pursuant to a resolution adopted by the Board of Trustees of the District on September 19, 2016 (the "Resolution"). The District covenants and agrees as follows:

Section 1. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate, unless otherwise defined in this Section 1, the following capitalized terms shall have the following meanings when used in this Disclosure Certificate:

*"Annual Report"* shall mean any Annual Report provided by the District pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

*"Beneficial Owner"* shall mean any person who (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

*"Dissemination Agent"* shall mean Isom Advisors, A Division of Urban Futures Incorporated, or any successor Dissemination Agent designated in writing by the District and which has filed with the District a written acceptance of such designation. In the absence of such a designation, the District shall act as the Dissemination Agent.

*"EMMA"* or *"Electronic Municipal Market Access"* means the centralized on-line repository for documents to be filed with the MSRB, such as official statements and disclosure information relating to municipal bonds, notes and other securities as issued by state and local governments.

*"Listed Events"* shall mean any of the events listed in Section 5(a) or 5(b) of this Disclosure Certificate.

*"MSRB"* means the Municipal Securities Rulemaking Board, which has been designated by the Securities and Exchange Commission as the sole repository of disclosure information for purposes of the Rule, or any other repository of disclosure information which may be designated by the Securities and Exchange Commission as such for purposes of the Rule in the future.

*"Participating Underwriter"* shall mean the original underwriter of the Bonds, required to comply with the Rule in connection with offering of the Bonds.

*"Rule"* shall mean Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

Section 2. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the District for the benefit of the owners and Beneficial Owners of the Bonds and in order to assist the Participating Underwriter in complying with Securities and Exchange Commission Rule 15c2-12(b)(5).

#### Section 3. Provision of Annual Reports.

(a) *Delivery of Annual Report*. The District shall, or shall cause the Dissemination Agent to, not later than nine months after the end of the District's fiscal year (which currently ends on June 30), commencing with the report for the 2015-16 Fiscal Year, which is due not later than March 31, 2017, file with EMMA, in a readable PDF or other electronic format as prescribed by the MSRB, an Annual Report

that is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the District may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date.

(b) *Change of Fiscal Year.* If the District's fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5(c), and subsequent Annual Report filings shall be made no later than nine months after the end of such new fiscal year end.

(c) *Delivery of Annual Report to Dissemination Agent.* Not later than fifteen (15) Business Days prior to the date specified in subsection (a) (or, if applicable, subsection (b)) of this Section 3 for providing the Annual Report to EMMA, the District shall provide the Annual Report to the Dissemination Agent (if other than the District). If by such date, the Dissemination Agent has not received a copy of the Annual Report, the Dissemination Agent shall notify the District.

(d) *Report of Non-Compliance.* If the District is the Dissemination Agent and is unable to file an Annual Report by the date required in subsection (a) (or, if applicable, subsection (b)) of this Section 3, the District shall send a notice to EMMA substantially in the form attached hereto as Exhibit A. If the District is not the Dissemination Agent and is unable to provide an Annual Report to the Dissemination Agent by the date required in subsection (c) of this Section 3, the Dissemination Agent shall send a notice to EMMA in substantially the form attached hereto as Exhibit A.

(e) *Annual Compliance Certification.* The Dissemination Agent shall, if the Dissemination Agent is other than the District, file a report with the District certifying that the Annual Report has been filed with EMMA pursuant to Section 3 of this Disclosure Certificate, stating the date it was so provided and filed.

Section 4. Content of Annual Reports. The Annual Report shall contain or incorporate by reference the following:

(a) *Financial Statements.* Audited financial statements of the District for the preceding fiscal year, prepared in accordance generally accepted accounting principles. If the District's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

(b) *Other Annual Information.* To the extent not included in the audited final statements of the District, the Annual Report shall also include financial and operating data with respect to the District for preceding fiscal year, substantially similar to that provided in the corresponding tables and charts in the official statement for the Bonds, as follows:

- (i) The District's approved budget for the then current fiscal year;
- (ii) Assessed value of taxable property in the District as shown on the recent equalized assessment role; and
- (iii) Property tax levies, collections and delinquencies for the District, for the most recent completed fiscal year.

(c) *Cross References.* Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the District or related public entities, which are available to the public on EMMA. The District shall clearly identify each such other document so included by reference.

If the document included by reference is a final official statement, it must be available from EMMA.

(d) *Further Information.* In addition to any of the information expressly required to be provided under paragraph (b) of this Section 4, the District shall provide such further information, if any, as may be necessary to make the specifically required statements, in the light of the circumstances under which they are made, not misleading.

#### Section 5. Reporting of Listed Events.

(a) *Reportable Events.* The District shall, or shall cause the Dissemination (if not the District) to, give notice of the occurrence of any of the following events with respect to the Bonds:

- (1) Principal and interest payment delinquencies.
- (2) Unscheduled draws on debt service reserves reflecting financial difficulties.
- (3) Unscheduled draws on credit enhancements reflecting financial difficulties.
- (4) Substitution of credit or liquidity providers, or their failure to perform.
- (5) Defeasances.
- (6) Rating changes.
- (7) Tender offers.
- (8) Bankruptcy, insolvency, receivership or similar event of the obligated person.
- (9) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security.

Note: For the purposes of the event identified in subparagraph (8), the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governmental body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(b) *Material Reportable Events.* The District shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds, if material:

- (1) Non-payment related defaults.
- (2) Modifications to rights of security holders.
- (3) Bond calls.
- (4) The release, substitution, or sale of property securing repayment of the securities.
- (5) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms.
- (6) Appointment of a successor or additional trustee, or the change of name of a trustee.

(c) *Time to Disclose.* Whenever the District obtains knowledge of the occurrence of a Listed Event, the District shall, or shall cause the Dissemination Agent (if not the District) to, file a notice of such occurrence with EMMA, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of 10 business days after the occurrence of the Listed Event. Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(5) and (b)(3) above need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to owners of affected Bonds under the Resolution.

Section 6. Identifying Information for Filings with EMMA. All documents provided to EMMA under this Disclosure Certificate shall be accompanied by identifying information as prescribed by the MSRB.



Section 7. Termination of Reporting Obligation. The District's obligations under this Disclosure Certificate shall terminate upon the defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the District shall give notice of such termination in the same manner as for a Listed Event under Section 5(c).

Section 8. Dissemination Agent.

(a) *Appointment of Dissemination Agent.* The District may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate and may discharge any such agent, with or without appointing a successor Dissemination Agent. If the Dissemination Agent is not the District, the Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the District pursuant to this Disclosure Certificate. It is understood and agreed that any information that the Dissemination Agent may be instructed to file with EMMA shall be prepared and provided to it by the District. The Dissemination Agent has undertaken no responsibility with respect to the content of any reports, notices or disclosures provided to it under this Disclosure Certificate and has no liability to any person, including any Bondholder, with respect to any such reports, notices or disclosures. The fact that the Dissemination Agent or any affiliate thereof may have any fiduciary or banking relationship with the District shall not be construed to mean that the Dissemination Agent has actual knowledge of any event or condition, except as may be provided by written notice from the District.

(b) *Compensation of Dissemination Agent.* The Dissemination Agent shall be paid compensation by the District for its services provided hereunder in accordance with its schedule of fees as agreed to between the Dissemination Agent and the District from time to time and all expenses, legal fees and expenses and advances made or incurred by the Dissemination Agent in the performance of its duties hereunder. The Dissemination Agent shall not be deemed to be acting in any fiduciary capacity for the District, owners or Beneficial Owners, or any other party. The Dissemination Agent may rely, and shall be protected in acting or refraining from acting, upon any direction from the District or an opinion of nationally recognized bond counsel. The Dissemination Agent may at any time resign by giving written notice of such resignation to the District. The Dissemination Agent shall not be liable hereunder except for its negligence or willful misconduct.

(c) *Responsibilities of Dissemination Agent.* In addition of the filing obligations of the Dissemination Agent set forth in Sections 3(e) and 5, the Dissemination Agent shall be obligated, and hereby agrees, to provide a request to the District to compile the information required for its Annual Report at least 30 days prior to the date such information is to be provided to the Dissemination Agent pursuant to subsection (c) of Section 3. The failure to provide or receive any such request shall not affect the obligations of the District under Section 3.

Section 9. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the District may amend this Disclosure Certificate (and the Dissemination Agent shall agree to any amendment so requested by the District that does not impose any greater duties or risk of liability on the Dissemination Agent), and any provision of this Disclosure Certificate may be waived, provided that all of the following conditions are satisfied:

(a) *Change in Circumstances.* If the amendment or waiver relates to the provisions of Sections 3(a), 4 or 5(a) or (b), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of an obligated person with respect to the Bonds, or the type of business conducted.

(b) *Compliance as of Issue Date.* The undertaking, as amended or taking into account such waiver, would, in the opinion of a nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances.

(c) *Consent of Holders; Non-impairment Opinion.* The amendment or waiver either (i) is approved by the Bondholders in the same manner as provided in the Resolution for amendments to the Resolution

with the consent of Bondholders, or (ii) does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Bondholders or Beneficial Owners.

If this Disclosure Certificate is amended or any provision of this Disclosure Certificate is waived, the District shall describe such amendment or waiver in the next following Annual Report and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the District. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(c), and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

Section 10. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the District from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the District chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the District shall have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

Section 11. Default. In the event of a failure of the District to comply with any provision of this Disclosure Certificate, any Bondholder or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Disclosure Certificate. The sole remedy under this Disclosure Certificate in the event of any failure of the District to comply with this Disclosure Certificate shall be an action to compel performance.

Section 12. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and no implied covenants or obligations shall be read into this Disclosure Certificate against the Dissemination Agent, and the District agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys fees and expenses) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The Dissemination Agent shall have the same rights, privileges and immunities hereunder as are afforded to the Paying Agent under the Resolution. The obligations of the District under this Section 12 shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

Section 13. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the District, the Dissemination Agent, the Participating Underwriter and the owners and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Date: October 19, 2016

WALNUT CREEK SCHOOL DISTRICT

By \_\_\_\_\_  
Marie Morgan  
Superintendent

ACKNOWLEDGED:

ISOM ADVISORS, A DIVISION OF URBAN  
FUTURES INCORPORATED, as Dissemination  
Agent

By \_\_\_\_\_  
Authorized Officer

**EXHIBIT A**

**NOTICE TO EMMA OF FAILURE TO FILE ANNUAL REPORT**

Name of Issuer: Walnut Creek School District

Name of Issue: \$20,000,000 Walnut Creek School District (County of Alameda, California)  
General Obligation Bonds, Election of 2016, Series A (2016)

Date of Issuance: October 19, 2016

NOTICE IS HEREBY GIVEN that the Obligor has not provided an Annual Report with respect to the above-named Issue as required by the Continuing Disclosure Certificate, dated October 19, 2016, furnished by the Issuer in connection with the Issue. The Issuer anticipates that the Annual Report will be filed by \_\_\_\_\_.

Dated: \_\_\_\_\_

ISOM ADVISORS, A DIVISION OF URBAN  
FUTURES INCORPORATED, as Dissemination  
Agent

By \_\_\_\_\_  
Title \_\_\_\_\_

**EXHIBIT F**  
**ESTIMATED COSTS OF ISSUANCE**

Bond Counsel	Quint & Thimmig LLP	\$ 35,000
Disclosure Counsel	Quint & Thimmig LLP	20,000
Financial Advisor	Isom Advisors	60,000
Rating Agency	S&P Global Ratings	17,000
Paying Agent	The Bank of New York Mellon Trust	2,000
Printing	Royce Printing	2,500
Bidding Platform	IPREO	1,500
Miscellaneous		7,000
<hr/> <b>Total</b>		<b>\$145,000</b>



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: September 27, 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:**

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.

Government Code Section 8630 requires 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 September 13, 2016 the Board of Supervisors last reviewed and approved the emergency declaration. Since the Board will not meet for three weeks, the next available Board meeting for this item will be October 18, 2016.

With the continuing high number of homeless individuals and

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **09/27/2016** ☒ 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: September 27, 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)

insufficient funding available to assist in sheltering all homeless individuals and families, it is appropriate for the Board to continue the declaration of a local emergency regarding homelessness.

CONSEQUENCE OF NEGATIVE ACTION:

CHILDREN'S IMPACT STATEMENT: