



# Agenda

## PUBLIC PROTECTION COMMITTEE

October 24, 2016

9:00 A.M.

651 Pine Street, Room 101, Martinez

Supervisor Candace Andersen, Chair  
Supervisor John Gioia, Vice Chair

### Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).
3. APPROVE Record of Action from the September 26, 2016 meeting. **(Page 4)**
4. CONSIDER recommending a nominees for appointment to the CY2017 Community Corrections Partnership (CCP) and CY2017 Community Corrections Partnership Executive Committee. (Timothy Ewell, Committee Staff) **(Page 8)**
5. CONSIDER approving and authorizing the Sheriff-Coroner, or designee, to execute a contract with AtHoc Inc., in an amount not to exceed \$3,800,000 for the provision of proprietary software maintenance for the County's Community Warning System for the period of July 1, 2016 through June 30, 2021. (Heather Tiernan, Sheriff's Office) **(Page 16)**
6. The next meeting is currently scheduled for November 28, 2016.
7. Adjourn

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*The Public Protection Committee will provide reasonable accommodations for persons with disabilities planning to attend Public Protection Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.*

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*Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Public Protection Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 10th floor, during normal business hours.*

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*Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.*

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For Additional Information Contact:

Timothy Ewell, Committee Staff  
Phone (925) 335-1036, Fax (925) 646-1353  
[timothy.ewell@cao.cccounty.us](mailto:timothy.ewell@cao.cccounty.us)

**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:

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<b>AB</b>	Assembly Bill	<b>HIPAA</b>	Health Insurance Portability and Accountability Act
<b>ABAG</b>	Association of Bay Area Governments	<b>HIV</b>	Human Immunodeficiency Syndrome
<b>ACA</b>	Assembly Constitutional Amendment	<b>HOV</b>	High Occupancy Vehicle
<b>ADA</b>	Americans with Disabilities Act of 1990	<b>HR</b>	Human Resources
<b>AFSCME</b>	American Federation of State County and Municipal Employees	<b>HUD</b>	United States Department of Housing and Urban Development
<b>AICP</b>	American Institute of Certified Planners	<b>Inc.</b>	Incorporated
<b>AIDS</b>	Acquired Immunodeficiency Syndrome	<b>IOC</b>	Internal Operations Committee
<b>ALUC</b>	Airport Land Use Commission	<b>ISO</b>	Industrial Safety Ordinance
<b>AOD</b>	Alcohol and Other Drugs	<b>JPA</b>	Joint (exercise of) Powers Authority or Agreement
<b>BAAQMD</b>	Bay Area Air Quality Management District	<b>Lamorinda</b>	Lafayette-Moraga-Orinda Area
<b>BART</b>	Bay Area Rapid Transit District	<b>LAFCo</b>	Local Agency Formation Commission
<b>BCDC</b>	Bay Conservation & Development Commission	<b>LLC</b>	Limited Liability Company
<b>BGO</b>	Better Government Ordinance	<b>LLP</b>	Limited Liability Partnership
<b>BOS</b>	Board of Supervisors	<b>Local 1</b>	Public Employees Union Local 1
<b>CALTRANS</b>	California Department of Transportation	<b>LVN</b>	Licensed Vocational Nurse
<b>CaiWIN</b>	California Works Information Network	<b>MAC</b>	Municipal Advisory Council
<b>CaiWORKS</b>	California Work Opportunity and Responsibility to Kids	<b>MBE</b>	Minority Business Enterprise
<b>CAER</b>	Community Awareness Emergency Response	<b>M.D.</b>	Medical Doctor
<b>CAO</b>	County Administrative Officer or Office	<b>M.F.T.</b>	Marriage and Family Therapist
<b>CCCFPD</b>	(ConFire) Contra Costa County Fire Protection District	<b>MIS</b>	Management Information System
<b>CCHP</b>	Contra Costa Health Plan	<b>MOE</b>	Maintenance of Effort
<b>CCTA</b>	Contra Costa Transportation Authority	<b>MOU</b>	Memorandum of Understanding
<b>CDBG</b>	Community Development Block Grant	<b>MTC</b>	Metropolitan Transportation Commission
<b>CEQA</b>	California Environmental Quality Act	<b>NACo</b>	National Association of Counties
<b>CIO</b>	Chief Information Officer	<b>OB-GYN</b>	Obstetrics and Gynecology
<b>COLA</b>	Cost of living adjustment	<b>O.D.</b>	Doctor of Optometry
<b>ConFire</b>	(CCCFPD) Contra Costa County Fire Protection District	<b>OES-EOC</b>	Office of Emergency Services-Emergency Operations Center
<b>CPA</b>	Certified Public Accountant	<b>OSHA</b>	Occupational Safety and Health Administration
<b>CPI</b>	Consumer Price Index	<b>Psy.D.</b>	Doctor of Psychology
<b>CSA</b>	County Service Area	<b>RDA</b>	Redevelopment Agency
<b>CSAC</b>	California State Association of Counties	<b>RFI</b>	Request For Information
<b>CTC</b>	California Transportation Commission	<b>RFP</b>	Request For Proposal
<b>dba</b>	doing business as	<b>RFQ</b>	Request For Qualifications
<b>EBMUD</b>	East Bay Municipal Utility District	<b>RN</b>	Registered Nurse
<b>ECCFPD</b>	East Contra Costa Fire Protection District	<b>SB</b>	Senate Bill
<b>ECCRPC</b>	East Contra Costa Regional Planning Commission	<b>SBE</b>	Small Business Enterprise
<b>EIR</b>	Environmental Impact Report	<b>SRVRPC</b>	San Ramon Valley Regional Planning Commission
<b>EIS</b>	Environmental Impact Statement	<b>SWAT</b>	Southwest Area Transportation Committee
<b>EMCC</b>	Emergency Medical Care Committee	<b>TRANSPAC</b>	Transportation Partnership & Cooperation (Central)
<b>EMS</b>	Emergency Medical Services	<b>TRANSPLAN</b>	Transportation Planning Committee (East County)
<b>EPSDT</b>	State Early Periodic Screening, Diagnosis and Treatment Program (Mental Health)	<b>TRE or TTE</b>	Trustee
<b>et al.</b>	et alii (and others)	<b>TWIC</b>	Transportation, Water and Infrastructure Committee
<b>FAA</b>	Federal Aviation Administration	<b>VA</b>	Department of Veterans Affairs
<b>FEMA</b>	Federal Emergency Management Agency	<b>vs.</b>	versus (against)
<b>F&amp;HS</b>	Family and Human Services Committee	<b>WAN</b>	Wide Area Network
<b>First 5</b>	First Five Children and Families Commission (Proposition 10)	<b>WBE</b>	Women Business Enterprise
<b>FTE</b>	Full Time Equivalent	<b>WCCTAC</b>	West Contra Costa Transportation Advisory Committee
<b>FY</b>	Fiscal Year		
<b>GHAD</b>	Geologic Hazard Abatement District		
<b>GIS</b>	Geographic Information System		
<b>HCD</b>	(State Dept of) Housing & Community Development		
<b>HHS</b>	Department of Health and Human Services		



# Contra Costa County Board of Supervisors

## Subcommittee Report

### **PUBLIC PROTECTION COMMITTEE**

3.

**Meeting Date:** 10/24/2016

**Subject:** RECORD OF ACTION - September 26, 2016

**Submitted For:** PUBLIC PROTECTION COMMITTEE,

**Department:** County Administrator

**Referral No.:** N/A

**Referral Name:** RECORD OF ACTION - September 26, 2016

**Presenter:** Timothy Ewell, Committee Staff **Contact:** Timothy Ewell, (925) 335-1036

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#### **Referral History:**

County Ordinance requires that each County body keep a record of its meetings. Though the record need not be verbatim, it must accurately reflect the agenda and the decisions made in the meeting.

#### **Referral Update:**

Attached for the Committee's consideration is the Record of Action for its September 26, 2016 meeting.

#### **Recommendation(s)/Next Step(s):**

APPROVE Record of Action from the September 26, 2016 meeting.

#### **Fiscal Impact (if any):**

No fiscal impact. This item is informational only.

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#### **Attachments**

Record of Action - September 2016

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# Agenda

## PUBLIC PROTECTION COMMITTEE

\*\*\* RECORD OF ACTION \*\*\*

September 26, 2016

9:00 A.M.

651 Pine Street, Room 101, Martinez

Supervisor Candace Andersen, Chair

Supervisor John Gioia, Vice Chair

### Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

Present: Candace Andersen, Chair

John Gioia, Vice Chair

Staff Present: David J. Twa, County Administrator

Timothy M. Ewell, Senior Deputy County Administrator - Committee Staff

### 1. Introductions

***Convene - 9:03 AM***

### 2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).

***No public comment***

### 3. APPROVE Record of Action from the August 15, 2016 meeting.

***Approved as presented***

Chair Candace Andersen, Vice Chair John Gioia

AYE: Chair Candace Andersen, Vice Chair John Gioia

Passed

### 4. 1. RECOMMEND establishing a County Office of Reentry and Justice (ORJ) within the County Administrator's Office, as a pilot project to commence January 1, 2017.

2. PROVIDE direction to staff.

***Approved as presented with the following direction to staff:***

***1. Forward to the Board of Supervisors for consideration***

***2. Establish a workgroup to assist with the transition of AB 109 responsibilities to the Office of Reentry and Justice***

Chair Candace Andersen, Vice Chair John Gioia

AYE: Chair Candace Andersen, Vice Chair John Gioia

Passed

5. 1. ACCEPT an introductory report on the issue of certain fees assessed by the County related to the juvenile justice system; and,
2. PROVIDE direction to staff regarding next steps

*Approved as presented with the following direction to staff:*

*1. Forward report to the Board of Supervisors for discussion with two possible courses of action, 1) Establish a moratorium on the assessment of juvenile fees, and/or 2) Refer the issue to the Racial Justice Task Force for evaluation once that advisory body begins its work.*

*2. Probation Department should work with County Counsel to review existing policies and procedures related to the collection of juvenile fees assessed.*

Vice Chair John Gioia, Chair Candace Andersen

AYE: Chair Candace Andersen, Vice Chair John Gioia

Passed

6. ACCEPT a status report from the District Attorney and the Employment and Human Services Director on Public Assistance Fraud investigation and prosecution efforts within the County.

*Approved as presented with the following direction to staff:*

*1. Forward report to the Board of Supervisors.*

Chair Candace Andersen, Vice Chair John Gioia

AYE: Chair Candace Andersen, Vice Chair John Gioia

Passed

7. REVIEW and APPROVE the final draft RFP for Facilitation and Data Analysis Services for the Racial Justice Task Force.

The Public Protection Committee is also requested to provide input and direction to staff on the timeline for the procurement process and the composition of the RFP Review Panel.

*Approved as presented*

Vice Chair John Gioia, Chair Candace Andersen

AYE: Chair Candace Andersen, Vice Chair John Gioia

Passed

8. The next meeting is currently scheduled for October 24, 2016 at 9:00AM .

9. Adjourn

***Adjourned - 11:38 AM***

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For Additional Information Contact:

Timothy Ewell, Committee Staff  
Phone (925) 335-1036, Fax (925) 646-1353  
timothy.ewell@cao.cccounty.us



# Contra Costa County Board of Supervisors

## Subcommittee Report

### PUBLIC PROTECTION COMMITTEE

4.

**Meeting Date:** 10/24/2016

**Subject:** APPOINTMENTS TO THE CY2017 COMMUNITY CORRECTIONS PARTNERSHIP & EXECUTIVE COMMITTEE

**Submitted For:** PUBLIC PROTECTION COMMITTEE,

**Department:** County Administrator

**Referral No.:** N/A

**Referral Name:** APPOINTMENTS TO THE CY2017 COMMUNITY CORRECTIONS PARTNERSHIP & EXECUTIVE COMMITTEE

**Presenter:** Timothy Ewell, (925)335-1036 **Contact:** Timothy Ewell, (925)335-1036

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### **Referral History:**

The California Legislature passed Assembly Bill 109 (Chapter 15, Statutes of 2011), which transferred responsibility for supervising certain lower-level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties. Assembly Bill 109 (AB109) took effect on October 1, 2011 and realigned three major areas of the criminal justice system. On a prospective basis, the legislation:

- Transferred the location of incarceration for lower-level offenders (specified nonviolent, non-serious, non-sex offenders) from state prison to local county jail and provides for an expanded role for post-release supervision for these offenders;
- Transferred responsibility for post-release supervision of lower-level offenders (those released from prison after having served a sentence for a non-violent, non-serious, and non-sex offense) from the state to the county level by creating a new category of supervision called Post-Release Community Supervision (PRCS);
- Transferred the custody responsibility for parole and PRCS revocations to local jail, administered by county sheriffs

AB109 also created an Executive Committee of the local Community Corrections Partnership (CCP) and tasked it with recommending a Realignment Plan (Plan) to the county Board of Supervisors for implementation of the criminal justice realignment. The Community Corrections Partnership is identified in statute as the following:

### ***Community Corrections Partnership***

1. Chief Probation Officer (Chair)
2. Presiding Judge (or designee)
3. County supervisor, CAO, or a designee of the BOS



4. District Attorney
5. Public Defender
6. Sheriff
7. Chief of Police
8. Head of the County department of social services
9. Head of the County department of mental health
10. Head of the County department of employment
11. Head of the County alcohol and substance abuse programs
12. Head of the County Office of Education
13. CBO representative with experience in rehabilitative services for criminal offenders
14. Victims' representative

Later in 2011, the Governor signed Assembly Bill 117 (Chapter 39, Statutes of 2011), which served as “clean up” legislation to AB109. Assembly Bill 117 (AB117) changed, among other things, the composition of the local CCP-Executive Committee. The CCP-Executive Committee is currently identified in statute as the following:

***Community Corrections Partnership-Executive Committee***

1. Chief Probation Officer (Chair)
2. Presiding Judge (or designee)
3. District Attorney
4. Public Defender
5. Sheriff
6. A Chief of Police
7. The head of either the County department of social services, mental health, or alcohol and drug services (as designated by the board of supervisors)

Although AB109 and AB117 collectively place the majority of initial planning activities for Realignment on the local CCP, it is important to note that neither piece of legislation cedes powers vested in a county Board of Supervisors' oversight of and purview over how AB109 funding is spent. Once the Plan is adopted, the Board of Supervisors may choose to implement that Plan in any manner it may wish.

**Referral Update:**

Each year, the PPC reviews the membership of the Community Corrections Partnership and makes recommendations for appointment to non *ex-officio* seats to the Board of Supervisors. The Board has made these appointments on a calendar year basis. Today's action is necessary to bring recommendations to the Board in December, which will take effect on January 1, 2017.

**Recommendation(s)/Next Step(s):**

RECOMMEND nominees for appointment to seats on the CY2017 Community Corrections Partnership & Executive Committee (see attachments).

**Fiscal Impact (if any):**

No fiscal impact.

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**Attachments**

CY2016 CCP Membership

CY2016 CCP Executive Committee Membership

CSAC Informational Letter

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## EXHIBIT A - 2016 COMMUNITY CORRECTIONS PARTNERSHIP

<u>Seat</u>	<u>Appointee</u>	<u>Term Expiration</u>
Chief Probation Officer ( <i>Chair</i> )	Todd Billeci	<i>ex-officio</i>
Presiding Judge ( <i>or designee</i> )	Magda Lopez ( <i>designee of Presiding Judge</i> )	<i>ex-officio</i>
County supervisor, CAO, or a designee of the BOS	David J. Twa, County Administrator	December 31, 2016
District Attorney	Mark A. Peterson	<i>ex-officio</i>
Public Defender	Robin Lipetzky	<i>ex-officio</i>
Sheriff	David O. Livingston	<i>ex-officio</i>
Chief of Police	Allan Cantando, City of Antioch	December 31, 2016
Head of the County department of social services	Kathy Gallagher, Employment and Human Services Director	<i>ex-officio</i>
Head of the County department of mental health	Cynthia Belon, Director of Behavioral Health Services	<i>ex-officio</i>
Head of the County department of employment	Stephen Baiter, Executive Director-Workforce Development Board	<i>ex-officio</i>
Head of the County alcohol and substance abuse programs	Fatima Matal Sol, Interim Director of Alcohol and Other Drugs	<i>ex-officio</i>
Head of the County Office of Education	Karen Sakata, Incoming County Superintendent of Schools	<i>ex-officio</i>
CBO representative with experience in rehabilitative services for criminal offenders	Roosevelt Terry	December 31, 2016
Victim's Representative	Devorah Levine, Zero Tolerance Program Manager	December 31, 2016

## EXHIBIT B - 2016 COMMUNITY CORRECTIONS PARTNERSHIP EXECUTIVE COMMITTEE

<u>Seat</u>	<u>Appointee</u>	<u>Term Expiration</u>
Chief Probation Officer ( <i>Chair</i> )	Todd Billeci	<i>ex-officio</i>
Presiding Judge ( <i>or designee</i> )	Magda Lopez ( <i>designee of Presiding Judge</i> )	<i>ex-officio</i>
District Attorney	Mark A. Peterson	<i>ex-officio</i>
Public Defender	Robin Lipetzky	<i>ex-officio</i>
Sheriff	David O. Livingston	<i>ex-officio</i>
Chief of Police	Allan Cantando, City of Antioch	December 31, 2016
Representative approved by BOS from the following CCP members:	Kathy Gallagher, Employment and Human Services Director	December 31, 2016
*Head of County department of Social Services		
*Head of County department of mental health		
*Head of County department of alcohol and substance abuse programs		



## MEMORANDUM

July 12, 2011

1100 K Street  
Suite 101  
Sacramento  
California  
95814

Telephone  
916.327-7500

Facsimile  
916.441.5507

To: Members, Board of Supervisors  
County Administrative Officers

From: Paul McIntosh  
Executive Director

Re: AB 117 and the Community Corrections Partnership (CCP)

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There continues to be a great deal of confusion and misunderstanding regarding the changes in the Community Corrections Partnership (CCP) encompassed in Assembly Bill 117 (Chapter 39, Statutes of 2011), passed as part of the 2011-12 budget. AB 117 did not change the make-up of the CCP, first formed in SB 678 in 2009, but does provide for revisions to the makeup of the CCP's Executive Committee, which originally was established in AB 109 (Chapter 15, Statutes of 2011).

The fourteen-member CCP in each county remains essentially unchanged and is comprised of the following (Penal Code Section 1230.1):

- Chief Probation Officer (Chair)
- Presiding Judge (or designee)
- County supervisor, CAO, or a designee of the BOS
- District Attorney
- Public Defender
- Sheriff
- Chief of Police
- Head of the County department of social services
- Head of the County department of mental health
- Head of the County department of employment
- Head of the County alcohol and substance abuse programs
- Head of the County Office of Education
- CBO representative with experience in rehabilitative services for criminal offenders
- Victims' representative

AB 117 requires the CCP to prepare an implementation plan that will enable the county to meet the goals of the public safety realignment. AB 117 is silent as to what those goals may be and provides counties with flexibility in how to address realignment. AB 117 does not abdicate the board of supervisor's authority over appropriations and does not enable the CCP to direct how realignment funds will be spent.

The seven-member CCP Executive Committee, as provided in AB 117, is comprised of the following:

Chief Probation Officer (Chair)

Presiding Judge (or designee)

District Attorney

Public Defender

Sheriff

A Chief of Police

The head of either the County department of social services, mental health, or alcohol and drug services (as designated by the board of supervisors)

Under AB 117, the CCP would develop an implementation plan and the Executive Committee would vote to approve the plan and submit it to the board of supervisors. The plan would be deemed accepted unless the board of supervisors voted via a 4/5 vote to reject the plan and send it back to the CCP. Concerns have been raised regarding why the CAO or board member is not part of the Executive Committee and why a 4/5 vote is required to reject the plan.

CSAC's role in the drafting of this component of AB 117 was as one of several stakeholders involved in the public safety realignment. While most of the county stakeholders maintained general agreement on realignment issues during each phase of negotiations in general, there were disparate opinions in how the planning process should unfold. CSAC felt strongly that the only way realignment will be successful is if the planning effort results in a significant shift away from a predominantly incarceration model and movement to alternatives to incarceration. Therefore, it was critical that the planning process be structured to encourage compromise in the CCP to reach the goals of the community in a manner acceptable to the board of supervisors.

The CAO, as you know, must be in a position to remain objective and provide the board of supervisors with unvarnished recommendations on matters that come before them. Having the CAO or a board member as part of the Executive Committee, and therefore casting a vote on the plan to be presented to the board of supervisors, would represent a conflict of interest to the CAO or board member and place them in a position that could compromise their independence. Rather, this approach seemed to capture the best of both worlds – the CAO is part of the planning process and can bring that global vision to that process but is also free to make contrary recommendations to the board of supervisors should they disagree with the ultimate plan adopted. Likewise with a member of the board of supervisors being part of the executive committee.

Some have commented that the 4/5 vote requirement to reject the plan submitted by the CCP limits local flexibility and discretion of the board of supervisors. While the dynamics of the planning process will differ from county to county, the goal was to force consensus within the CCP and the planning process and not

provide an avenue for a participant to try to push their opinion outside of the CCP with the board of supervisors. A super majority makes an “end run” difficult, but still enables the board to reject the plan if the board disagrees with it. A 4/5 vote requirement is not unusual, but does place a higher level of focus on the planning process. It should be noted, as well, that counsel has opined that meetings of the CCP and the Executive Committee will be subject to the Brown Act and all discussions will be required to be conducted in a public meeting.

AB 117 is not a perfect solution but it represents a negotiated agreement that will enable California’s counties to move forward with the dramatic changes necessary to make realignment successful. Clearly the successful implementation of realignment will require a significant paradigm shift in our public safety communities. The successful model will not be an incarceration model, but one that seeks to divert and rehabilitate citizens, returning them to be productive members of our community. Hopefully, the construct of the CCP – that is intended to drive the local public safety community to a consensus about a “different way of doing business” - will ultimately lead to that approach.



# Contra Costa County Board of Supervisors

## Subcommittee Report

### PUBLIC PROTECTION COMMITTEE

5.

**Meeting Date:** 10/24/2016

**Subject:** AtHoc Inc. Contract - Community Warning System

**Submitted For:** David O. Livingston, Sheriff-Coroner

**Department:** Office of the Sheriff

**Referral No.:** N/A

**Referral Name:** AtHoc Inc. Contract - Community Warning System

**Presenter:** Heather Tiernan, 925-646-4461 **Contact:** Heather Tiernan, 925-646-4461

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#### **Referral History:**

AtHoc Inc., is a full-service alert and warning company specializing in fixed siren systems and emergency notification systems. Alerting Solutions, Inc., provides support for the Contra Costa County Community Warning System. The Contra Costa County Community Warning System consists of 25 separate and linked control centers, monitoring systems, and communication systems between emergency responders, sirens (40), and other alerting devices (700+), and automated links to radio and television stations serving the community.

#### **Referral Update:**

On October 18, 2016, the Board of Supervisors referred this contract to the Public Protection Committee for additional review and discussion.

#### **Recommendation(s)/Next Step(s):**

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with AtHoc Inc., in an amount not to exceed \$3,800,000 for the provision of proprietary software maintenance for the County's Community Warning System for the period of July 1, 2016 through June 30, 2021.

#### **Fiscal Impact (if any):**

\$3,800,000 over the five year term of the contract. This contract is fully funded by the Certified Unified Program Administration (CUPA) with allocated business plan fees.

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#### **Attachments**

*No file(s) attached.*

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